

THE

721

STATUTES

OF

NOVA-SCOTIA,

PASSED IN THE SECOND SESSION

OF THE

GENERAL ASSEMBLY

OF THE

TWENTIETH YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA;

HELD

ON THE FIFTH FEBRUARY, 1857.



HALIFAX:

PRINTED BY ALPIN GRANT,

PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

3790



TABLE OF STATUTES

OF

NOVA-SCOTIA.

20°. VICTORIÆ.

1857.

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At the General Assembly of the province of Nova-Scotia, begun and holden at Halifax, on Thursday the fifth day of February, 1857, in the twentieth year of the reign of our sovereign lady Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, &c. &c. &c., being the second session of the twenty-first General Assembly convened in the said province.*

*In the time of his Excellency Sir John Gaspard LeMarchant, Lieutenant-Governor; Edward Kenny, president of the Legislative Council; Stewart Campbell, speaker of the Assembly; Charles Tupper, provincial secretary; and Alexander James, clerk of Assembly.

CHAPTER 1.

An Act to continue and amend the laws imposing Customs duties.

(Passed the 31st day of March, A. D. 1857.)

SECTION

1. Chapter 12 revised statutes, with amendments, continued to April 1st, 1858.
2. Advalorem duty increased to 10 per cent. Cotton Yarn.

SECTION.

3. Refined Sugar.
4. Wines.
5. Part cap. 12 rev. stat. repealed.

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

1. Chapter "twelve" of the revised statutes "Of customs duties," as amended by chapter two of the acts of one thousand eight hundred and fifty two, and also as amended by chapter nine of the acts of one thousand eight hundred and fifty four, and also as amended by chapter three of the acts of one thousand eight hundred and fifty five, and also as amended by chapter one of the acts of one thousand eight hundred and fifty six, and also as hereinafter amended, is hereby continued, together with such amendments respectively, until the first day of April in the year one thousand eight hundred and fifty eight.

Cap. 12 rev. stat. with amendments continued to April 1, 1858.

2. All goods, wares, and merchandize now liable to a duty of six and a quarter per cent. advalorem, shall hereafter pay a duty of ten per cent. ad valorem, with the exception of cotton yarn, which shall pay two and a half per cent. ad valorem.

Advalorem duty increased to 10 per cent.

Cotton Yarn.

3. Refined sugar shall hereafter pay a duty of ten shillings per hundred weight, instead of fourteen shillings.

Refined sugar.

4. Madeira, port and sherry wines, of which the first cost is thirty pounds per pipe and upwards, shall pay a duty of two shillings and six pence per gallon.

Wines.

5. So much of section two of chapter twelve of the revised statutes as imposes a duty of six and a quarter per cent. ad

Part cap. 12 rev. stat. repealed.

valorem on goods, wares, and merchandize, a duty of fourteen shillings per cwt. on refined sugar, and a duty of two shillings and six pence per gallon on Madeira, port, and sherry wines, of which the first cost is twenty pounds per pipe and upwards, is repealed.

CHAPTER 2.

An Act to continue the law imposing Light House duties.

(Passed the 31st day of March, A. D. 1857.)

Cap. 21 rev. stat. continued until April 1st, 1858.

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

Cap. 21 rev. stat.
continued until
April 1st, 1858.

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

CHAPTER 3.

An Act to continue the License laws.

(Passed the 31st day of March, A. D. 1857.)

Cap. 22 rev. stat. continued until April 1st, 1858.

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

Cap. 22 rev. stat.
continued until
April 1st, 1858.

Chapter twenty two of the revised statutes "Of licenses for the sale of intoxicating liquors," and also the act of eighteenth Victoria, chapter two, in amendment thereof, are hereby respectively continued until the first day of April in the year one thousand eight hundred and fifty eight.

CHAPTER 4.

An Act to continue the law to regulate Distilleries.

(Passed the 31st day of March, A. D. 1857.)

Act 15 Vic. cap. 10 continued until April 1st, 1858.

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

Act 15 Vic cap.
10 continued
until April 1,
1858.

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

CHAPTER 5.

An Act to amend the Jury law.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Jury panels &c. at the last sittings of Supreme Court declared valid.

SECTION.

2. Jury lists for Inverness valid.

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

1. All jury panels, whether grand or petit, drawn from any jury lists at the last sittings of the supreme court in the several counties, and all venires and other proceedings connected therewith, are hereby declared legal and valid, notwithstanding the lists from which such panels were drawn may have been from any cause whatever informally or illegally made up, and although the copies of such lists may not have been given to the clerk of the peace and prothonotary, or posted as required by law.

Jury panels &c.
at the last sittings of supreme court declared valid.

2. The jury lists for the county of Inverness, prepared in January last, shall be valid, although such jury lists were not confirmed by the committee of justices.

Jury lists for Inverness valid.

CHAPTER 6.

An Act to revive and continue and amend the laws relative to the Militia.

(Passed the 13th day of April, A. D. 1857.)

SECTION

1. Rev. stat. cap. 29 act 17 Vic., cap. 34 act 18 Vic., cap. 10 act 19 Vic., cap. 36, (except as amended) continued.

SECTION.

2. Old arms &c. may be sold.
3. No money to be paid out except for the purchase of arms.

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

1. Chapter twenty nine of the revised statutes "Of the militia," except as amended by the acts hereinafter mentioned, or by this act, also the act seventeenth Victoria, chapter 34, except as amended by the acts hereinafter mentioned, also the act eighteenth Victoria, chapter 10, except as amended by the act hereinafter mentioned, also the act nineteenth Victoria, chapter 36, save as hereinafter amended, are hereby respectively revived and continued in force until the first day of April in the year one thousand eight hundred and fifty eight.

Rev. stat. cap. 29,
act 17 Vic. cap. 34,
act 18 Vic. cap. 10,
act 19 Vic. cap. 36, (except as amended) continued.

2. The Governor in Council may cause all the old arms and accoutrements of the militia to be sold by public auction, in the respective counties in which they are now deposited ;

Old arms &c. may be sold.

and the nett proceeds of such sales shall be paid into the treasury.

No money to be paid out except for the purchase of arms.

3. Nothing herein contained shall be construed to authorize the payment of any money out of the treasury under the provisions of the chapter and acts hereby amended, for any services performed after the first day of August next, except for the purchase of new arms to replace those to be sold as hereinbefore directed, such purchase not to exceed the nett proceeds of the sale of old arms, unless the governor, in consequence of an invasion made or threatened, or of some pressing emergency, shall issue a proclamation for the enrolment of the militia.

CHAPTER 7.

An Act for transferring to her Majesty's Secretary of State for the War department, the powers and estates vested in the principal officers of her Majesty's Ordnance department.

(Passed the 13th day of April, A. D. 1857.)

SECTION.

1. All property heretofore vested in officers of ordnance transferred to sec'y war department and his successors in office.
2. Contracts already made. Proceedings in whose name taken.

SECTION.

3. Deeds, leases, and descriptions in— Execution of, &c. Any principal secretary of state executing deeds, &c. considered sec'y of war department.

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

All property heretofore vested in officers of ordnance transferred to sec'y of war department and his successor in office.

1. All lands, hereditaments, estates, and property whatsoever, which by virtue of the act passed in the sixth year of her present Majesty's reign, entitled, An act relating to certain lands belonging to her Majesty, and for vesting the title to the same in the principal officers of her Majesty's ordnance department; or of any other act or acts, or of any conveyance or assurance, or of any law, custom, or usage, were vested in the principal officers of her Majesty's Ordnance, on behalf of her Majesty, or which have been at any time before the passing of this act held, used, or taken by or in the name of, or by any person in trust for, her Majesty, for the use and service of the said department, or for the public defence, and which have not been sold, aliened, or parted with, shall from henceforth be, and the same are hereby transferred and declared to be transferred to, and vested in, her Majesty's principal secretary of state for the war department, on behalf of her Majesty, and when and so often as the principal secretary of state for the war department, or any succeeding principal secretary of state for the war department, shall cease to hold that office, the said several lands, hereditaments, estates and property, and all lands, hereditaments, estates and prop-

erty which hereafter shall be purchased or otherwise acquired by any such principal secretary of state for the war department, on behalf of her Majesty, shall by virtue of this act be absolutely divested out of such secretary of state so ceasing to hold such office, and shall by virtue of this act be transferred to and vested in his successor in the said office, immediately upon his receiving the seals of the said department, absolutely; and the lands, hereditaments, estates and property hereby vested and hereafter to be vested in the principal secretary of state for the war department, and his successors, shall, as to such of them as were or shall have been purchased, or are or shall be held for an estate of inheritance in fee simple, be so vested in such principal secretary of state, and his successors, in the same manner as if the fee simple thereof had been originally conveyed to such principal secretary of state as a corporation sole, and his successors; and as to all lands, hereditaments and property purchased or held for any less estate than an estate of inheritance in fee simple, as if the same lands, hereditaments and property had been originally conveyed, demised, or otherwise assured to such principal secretary of state as a corporation sole, and his successors, for all the existing estates and interests therein respectively, and so from time to time.

2. All contracts, covenants and agreements heretofore made or entered into by any person or persons, whomsoever, with the principal officers of the ordnance, or any person or persons on their behalf, as to or concerning any lands, hereditaments, estates, and property vested in or agreed to be purchased by them or in anywise relating to the public service, shall be deemed to have been made or entered into with such principal secretary of state, and shall be executed and enforced by him in like manner as if he had been originally party thereto, instead of the principal officers of the ordnance; and all proceedings whatsoever, which have been or may have been commenced, taken, or done in the name of the principal officers of the ordnance on behalf of her Majesty, shall and may hereafter be commenced, continued, taken and done in the name of such principal secretary of state for the war department, in like manner (in case of proceedings already commenced, taken or done) as if he had originally been party thereto, instead of the principal officers of the ordnance.

3. In every contract, conveyance, lease, or other assurance of any lands, hereditaments, estates or property, with, unto or by the principal secretary of state for the war department, for the time being, and in every other deed or instrument relating thereto, or in any wise to the public service, to which he shall be or shall be intended to be a party, it shall be sufficient to call or describe him by the style or title of "Her Majesty's Principal Secretary of State for the War Department," with-

Contracts already made.

Proceedings in whose name taken.

Deeds, Leases, &c., description in—execution of, &c.

out naming him ; and every such contract, conveyance, lease, assurance, deed or instrument may be executed by the principal secretary of state for the war department, or by any other of her Majesty's principal secretaries of state for the time being, by signing his name thereto ; and if the instrument so executed be in the form of a deed, by setting or affixing a seal thereto, and delivering the same as his deed, and whenever any contract, conveyance, lease, assurance, deed or instrument shall be executed by any other principal secretary of state than the principal secretary of state for the war department, the principal secretary of state so executing the same, shall for that time and on that occasion, and for the purposes thereof, be deemed to be the principal secretary of state for the war department.

Any principal secretary of state executing deeds, &c. considered sec'y of war department.

CHAPTER 8.

An Act to alter and amend Chapter 126 of the Revised Statutes
“Of the Supreme Court and its Officers.”

(Passed the 1st day of May, A. D. 1857.)

SECTION 1 —Spring term at Antigonishe and Arichat altered.

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

Spring term at Antigonishe and Arichat altered.

1. The Spring Term of the Supreme Court shall hereafter be held at Antigonishe on the fourth Tuesday of June, and at Arichat on the second Tuesday next after the fourth Tuesday of June, instead of at the times now established for the Spring Term of the Supreme Court at those places respectively.

2. So much of the chapter hereby amended as is inconsistent with this act is repealed.

CHAPTER 9.

An Act to amend the New Practice Act.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Judgment may be given at Chambers.

SECTION.

2. Interest on verdict.

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

Judgment may be given at chambers.

1. When cases shall have been fully argued and the several Judges who heard the argument have decided upon the judgment to be delivered, and have reduced their opinions to writing, the judgment of the Court may be pronounced by a Judge at chambers, after the several opinions have been read.

2. In case hereafter of a verdict for a sum of money, in favor of a plaintiff or defendant, where final judgment is delayed

Interest on verdict.

by a *rule nisi* or other proceeding on the part of the opposite party, and judgment shall be ultimately given for the party recovering the verdict, such judgment shall be entered on the verdict with interest, unless the Court or a Judge shall otherwise order.

CHAPTER 10.

An Act to amend the New Practice Act.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Proceedings against a British subject resident out of this province.
2. Proceedings against a foreigner resident out of this province.
3. Amendment of writ.

SECTION.

4. Substitution of forms.
5. Concurrent writ.
6. Affidavit of service. Punishment for forgery, or tendering in evidence a forged affidavit.

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

1. In case any defendant being a British subject, is residing out of this province, it shall be lawful for the plaintiff to issue a writ of summons in the form contained in schedule A, to this act annexed, which writ shall bear the indorsement contained in the said form purporting that such writ is for service out of this province: And the time for appearance by the defendant to such writ shall be regulated by the distance from Nova Scotia of the place where the defendant is residing, and it shall be lawful for the Court or Judge, upon being satisfied by affidavit that there is a cause of action which arose within this province, or in respect of a breach of a contract made within the province, in whole or in part, or intended to be executed in whole or in part within this province, or, in respect of a contract made and entered into between parties, one of whom, at the time of making such contract, shall reside within this province, and that the writ was personally served upon the defendant, or that reasonable efforts were made to effect personal service thereof upon the defendant, and that it came to his knowledge, and either that the defendant wilfully neglects to appear to such writ, or that he is living out of the province in order to defeat or delay his creditors, to direct from time to time, that the plaintiff shall be at liberty to proceed in the action in such manner, and subject to such conditions as to such Court or Judge may seem fit, having regard to the time allowed for the defendant to appear being reasonable, and to the other circumstances of the case; provided always, that the plaintiff shall and he is hereby required to prove the amount of the debt or damages claimed by him in such action, either before a jury upon a writ of inquiry, or before a Judge; and the making such proof shall be a condition precedent to his obtaining judgment.

Proceedings
against a British
subject resident out of
this province.

Proceedings
against a for-
eigner resident
out of this
province.

2. In any action against a person residing out of the province, and not being a British subject, the like proceedings may be taken as against a British subject resident out of this province, save that in lieu of the form of the writ of summons in the schedule A to this act annexed, the plaintiff shall issue a writ of summons according to the form contained in the schedule B, hereto annexed, and shall in manner aforesaid serve a notice of such last mentioned writ upon the defendant therein mentioned, which notice shall be in the form contained in the said schedule B, and such service shall be of the same force and effect as the service of the writ of summons in any action against a British subject resident abroad, and by leave of the Court or a Judge upon their or his being satisfied by affidavit as aforesaid, the like proceedings may be had and taken thereupon.

Amendment of
writ.

3. If the plaintiff or his attorney shall omit to insert in or indorse on any writ or copy thereof, any of the matters required by this act to be inserted therein or indorsed thereon, such writ or copy thereof shall not on that account be held void, but it may be set aside as irregular or amended upon application to be made to the Court out of which the same shall issue or to a Judge; and such amendment may be made upon any application to set aside the writ upon such terms as to the Court or Judge may seem fit.

Substitution of
forms.

4. If either of the forms of writ of summons contained in the schedules A and B shall by mistake or inadvertance be substituted for the other of them, such mistake or inadvertance shall not be an objection to the writ, or any other proceeding in such action, but the writ may upon an ex parte application to a Judge, whether before or after any application to set aside such writ, or any proceeding thereon, and whether the same or notice thereof shall have been served or not, be amended by such Judge without costs.

Concurrent
writ.

5. A writ for service within the province may be issued and marked as a concurrent writ with one for service out of the province, and a writ for service out of the province may be issued and marked as a concurrent writ with one for service within the province.

Affidavit of
service.

6. Any affidavit of service of writ or notice or any other affidavit, for the purpose of enabling the Court or a Judge to direct proceedings to be taken against defendants out of the province, may be sworn before any Judge of a Court of Record, Justice of the Peace, Consul General or Consul, Vice Consul or Consular Agent, appointed by her Majesty at any foreign port or place where official character and signature shall be certified under the hand and seal of a notary public. Provided always, that if any person shall forge the signature of any such affidavit, or shall use or tender in evidence any such affidavit with a false or counterfeit signature thereto, knowing the same to be false and counterfeit, he shall be guilty of

Punishment for
forging or ten-
dering in evi-
dence a forged
affidavit.

felony, and shall upon conviction be liable to be imprisoned in the provincial penitentiary for a term not exceeding three years, nor less than one year, with hard labor; and every person who shall be charged with committing any felony under this act may be dealt with, indicted, tried, and if convicted sentenced, and his offence may be laid and charged to have been committed in the county or place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and if convicted, sentenced, and his offence may be laid and charged to have been committed in any county or place in which the principal offender may be tried. Provided also, that if any person shall wilfully and corruptly make a false affidavit before such Judge, Justice of the Peace, Consul General, Consul, Vice Consul, or Consular Agent, every person so offending shall be deemed and taken to be guilty of perjury, in like manner as if such false affidavit had been made in this province before competent authority, and shall and may be dealt with, indicted, tried, and if convicted sentenced, and his offence may be laid and charged to have been committed in any county or place in which he shall be apprehended or be in custody, as if his offence had been actually committed in that county or place.

SCHEDULE A.

Writ where the defendant, being a British subject, resides out of the jurisdiction of this Province :

S. S.

Victoria, by the Grace of God, &c. &c.

To C. D. of _____ in the _____ of _____

We command you that within [*here insert a sufficient number of days within which the defendant might appear with reference to the distance he may be at from this province*] days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in the supreme court of Nova Scotia, at _____ in an action at the suit of A. B., who says that the said C. D. is indebted to him [*for work done and materials provided by the plaintiff for the defendant at his request, or as the case may be*] and take notice that in default of your so doing, the said A. B. may, by leave of the Court or a Judge, proceed therein to judgment and execution; and he claims

Issued the _____ day of _____ A. D.

E. F., plaintiff's attorney, } prothonotary.
[*or in person.*] }

Memorandum to be subscribed on the Writ.

N. B.—This writ is to be served within _____ calendar months from the date hereof; or if renewed, from the date of such renewal, including the day of such date, and not afterwards.

Indorsement to be made on the writ before service thereof.

This writ is for service out of the jurisdiction of the Court, and was issued by E. F. of _____ attorney for the said plaintiff—[or, this writ was issued in person by A. B., who resides at _____ *mention plaintiff's place of residence.*]

SCHEDULE B.

Writ where a defendant, not being a British subject, resides out of the jurisdiction of this province.

S. S.

Victoria, by the Grace of God, &c. &c.

To C. D. of _____ in _____

We command you that within [*here insert a sufficient number of days within which the defendant might appear, with reference to the distance he may be at from Nova-Scotia*] days after notice of this writ is served on you, inclusive of the days of such service, you do appear or cause an appearance to be entered for you in our supreme court of Nova Scotia at _____ in an action at the suit of A. B., who says that the said C. D. is indebted to him [for work and materials provided by the plaintiff for the defendant at his request, *or as the case may be*] and take notice that in default of your so doing the said A. B. may, by leave of the Court or a Judge, proceed therein to judgment and execution; and he claims

Issued the _____ day of _____ A. D.

E. F., plaintiff's attorney, } _____ prothonotary.
[or in person.] }

Memorandum to be subscribed on the writ.

N. B.—Notice of this writ is to be served within six calendar months from the date thereof, including the day of such date, and not afterwards.

Indorsements as in schedule A.

Notice of the foregoing Writ.

To G. H., of _____ in _____

Take notice that A. B., of _____ in the province of Nova Scotia, has commenced an action at law against you C. D., in the supreme court of Nova-Scotia, at _____

by a writ of that court, dated the _____ day of _____ A. D. 18 _____ in which he says that you are indebted to him (for work done and materials provided by the plaintiff for the defendant, at his request, *or as the case may be*) and you are required within _____ days after receipt of this notice, to defend the said action, by causing an appearance to be entered for you in the said court, to the said action, and in default of your doing so, the said A. B. may, by leave of the Court or a Judge, proceed thereon to judgment and execution.

The following are the particulars of the said A. B.'s claim, &c. &c. (signed) _____ E. F., plttf's atty,

[or in person.]

CHAPTER 11.

An Act to encourage the establishment of Telegraphic Communication between this Province and the United Kingdom of Great Britain and Ireland.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. No parties except the N. York, Newfoundland, and London tel. company permitted to touch the province with a telegraph cable; period, restrictions, &c. Provisoed.
2. Government to have preference in point of time as regards messages.—Public news, &c. to be promulgated.
3. N. York, Nfld. and London telegraph company may construct lines in the

SECTION.

- province with the concurrence of the N. S. tel. company.
4. Agreement to be entered into within a year.
5. When to take effect.
6. Agreement required to give effect to the privileges of this act.
7. Secs. 9, 18, 20, and 24 of act to incorporate N. S. tel. company repealed.

Whereas the New York, Newfoundland and London Telegraph company, incorporated by the legislature of Newfoundland, have associated themselves with a joint stock company, formed in England under the title of the Atlantic Telegraph company, limited, for the purpose of establishing complete telegraphic communication between Europe and America by way of Newfoundland, and have proposed to the government of this province to lay down a telegraphic submarine cable between Newfoundland and some suitable place on the coast of this province for the direct transmission of intelligence between this province and the United Kingdom. And whereas the establishment of such telegraphic communication between this province and the United Kingdom will be of great service to the government and people of Nova Scotia, and it is expedient to facilitate and encourage the establishment and continuance of the same,

Preamble.

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

1. That for and during the term of twenty-five years from and after the time when the said New York, Newfoundland and London telegraph company shall have established, with or without the aid of an associated line or lines, a telegraphic communication between this province and the United Kingdom, and so long during the said period of twenty-five years as such telegraphic communication shall be regularly maintained by the company in manner above mentioned; and all matters passing thereon to and from the United Kingdom or the United States, be transmitted through this province on the lines of the Nova Scotia electric telegraph company, or upon any line or lines to be with their assent and concurrence, or under an act of the legislature constructed and worked, no

No parties except the N. Y. Nfld. and London tel. co. permitted to touch the province with a tel. cable; period, restrictions, &c.

Provisoes.

person or persons, body or bodies, politic or corporate, other than the said New York, Newfoundland and London telegraph company, shall be permitted to extend to, enter upon or touch any part of this province, or the coast thereof, or the island under the jurisdiction of the government thereof, with any telegraphic cable, wire, or other means of telegraphic communication from any other province, state, country or place whatever beyond the continent of America; provided however that this act shall be void unless the New York, Newfoundland and London telegraph company shall establish such telegraphic communication between this province and the United Kingdom, in manner above mentioned, within three years from the passing of this act; and provided further that in case such telegraphic communication with the United Kingdom shall be interrupted and continue interrupted at any one time for the period of one year, and due diligence shall not, in the judgment of the Governor and Council of this province, be used to restore the same, the privileges granted by this section shall thenceforth cease and determine; provided also that this act shall be void if the said New York, Newfoundland and London telegraph company shall at any time during the said period of twenty-five years open, use or establish any telegraphic line or communication between Newfoundland and any province, state or island in America, other than this province; provided further that this act shall in no way affect the rights and privileges of the transatlantic telegraph company, incorporated by the legislature of this province in the year of our Lord 1855.

Government to have preference in point of time as regards messages.

Public news to be promulgated.

N. Y., Nfld. and London tel. co. may construct lines in the province with the concurrence of the N. S. tel. co.

2. The government of this province shall at all times have a preference in point of time in the transmission of intelligence relative to the public service to or from any station of the company within this province; and all public and political news shall be promulgated on the most favored terms to the press and people of this province simultaneously with the further transmission of the same.

3. It shall be lawful for the New York, Newfoundland and London telegraph company, with the consent and concurrence of the Nova Scotia electric telegraph company, and upon such terms and conditions as may be agreed upon between them, and not otherwise, to construct, keep in repair and work any line or lines of telegraph from any point or points in this province to any other point or place in British North America or the United States (the needful sanction of any other province being first obtained); and the said New York, Newfoundland and London telegraph company shall and may in such case enjoy and exercise in the construction, repairing and working of any such line or lines, all the powers, rights, privileges and protection which, by the laws of this province the

said Nova Scotia electric telegraph possess, or can or may enjoy in the like case.

4. Unless within one year from the passing of this act, the New York, Newfoundland and London telegraph company enter into an agreement with and satisfactory to the provincial government for maintaining an exclusive connection between Newfoundland and Nova Scotia, for the price and on the terms mentioned in this act for the due performance of any contract into which they may enter with the Nova Scotia Company, and for the regular payment of rent, this act shall be void.

Agreement to be entered into within a year.

5. This act shall not take effect until the Newfoundland company shall have given satisfactory security to the Nova Scotia company that they will, for such term of years as may be agreed upon, pay the annual rent agreed upon.

When to take effect.

6. The exclusive privileges conferred by this act shall not have force or effect until it shall be agreed between the Nova Scotia and Newfoundland company to the following effect, viz., That the rate of tolls to be paid by the former for the land lines leased, owned or controlled by the Newfoundland company, shall not exceed the rate to be charged by the Nova Scotia company for messages transmitted over the Nova Scotia lines, and that the tolls over all submarine lines connecting with Nova Scotia shall not be more than double the rate charged to or by the Nova Scotia company for the like distance over their land lines.

Agreement required to give effect to the privileges of this act.

7. Sections nine, eighteen, twenty and twenty-four of the act passed in the fourteenth year of her Majesty's reign, entitled, An act to incorporate the Nova Scotia electric telegraph company are hereby repealed.

Secs. 9, 18, 20, and 24. of act to incorporate N. S. electric tel. co. repeal'd.

CHAPTER 12.

An Act to authorize a Provincial Loan.

(Passed the 1st of May, 1857.)

SECTION.

1. Governor in council empowered to borrow.
2. When drawn.
3. Repayment.

SECTION.

4. Account to be laid before committee of public accounts.
5. Balance when to be paid.

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

1. The Governor may cause a cash account to be opened at one or more of the banks in the city of Halifax, and may borrow and receive from such banks such sum of money as may be necessary for the use of the province, in such amounts as may from time to time be required, and under such conditions and upon such terms, agreements, and stipulations for the payment and repayment of such monies, and for the ma-

Governor in council empowered to borrow.

nagement of such accounts, as by the Governor in Council may be established, prescribed and directed, with the consent of the directors of the bank; or otherwise may borrow and receive from any other persons, corporations, or companies, a sum not to exceed ten thousand pounds, at the lowest interest at which such loan can be effected.

When drawn.

2. The money may be drawn for and received from time to time in such sums and under such restrictions and regulations as may be prescribed by the Governor in Council, with the consent of the lenders thereof.

Repayment.

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

Account to be laid before committee of public accounts.

4. An account of all sums borrowed or repaid under this act, with the date of the loans and repayments respectively, shall be laid before the joint committee of the legislature appointed to examine the public accounts, together with the drafts and vouchers relating to the same, at its next session.

Balance when to be paid

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

CHAPTER 13.

An Act to authorise Assessments for Railway Damages.

(Passed the 1st day of May, A.D., 1857.)

SECTION.

1. Act 18 Vic. cap. 5, repealed.
2. Jury—how drawn.
3. Striking off.
4. When same person holds the offices of prothonotary and clerk of peace.
5. Lists to be furnished by railway commissioners. Regulations regarding the striking of the jury.
6. Venire.
7. Proceedings of jury, duties, &c. Disagreement. Return of sheriff. Proceedings if jury reduced below five.
8. Jury to have access to papers, plans, &c.
9. Fees. Forfeit for default of jury.
10. Appeal to the supreme court—proceedings in.
11. Payment of amount appraised.
12. Certificate of appraisalment.
13. Damages—how apportioned and collected.
14. In case sessions delay to make apportionment supreme court may amerce.

SECTION

15. Amercement—how collected.
16. Compensation to collectors, &c.
17. Sum assessed to be paid to receiver general. In case amount fails to meet claims.
18. Acts 1854 cap. 1. sec. 17, repealed.—Appraisements in pursuance thereof to remain.
19. Compensation for appraiser for co. Halifax, under cap. 1, sec. 17, acts of 1854.
20. Parties entitled to benefit of act.
21. Amendment of proceedings.
22. Notice of amount and description of land to be advertised. In case of objection made.
23. Appraisalment in favor of Kenny and Davey—how collected, &c.
24. Cost of fencing.
25. Amount advanced by railway board to Messrs. Drillio to be repaid.
26. Bonds from Treasurers, &c.

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

1. The act eighteenth Victoria chapter five entitled, "An act to authorize assessments for railway damages," is repealed. Act 18 Vic., cap. 5, repealed.

2. On the first Tuesday of June in every year, or at such other time and times as shall be fixed by a judge of the supreme court, between the hours of ten o'clock in the forenoon and twelve o'clock at noon, the prothonotary of every county in which a railway is being constructed shall in his office, in the presence of the clerk of the peace, who is hereby required to be present, and in the presence of any other persons who may desire to attend, draw from the grand jury box the names of twenty-eight persons then resident within the county liable and able to serve as grand jurors for the then current year, in the same manner as special jurors are now drawn, a notice of such time to be posted up by the clerk of the peace in at least three of the most public places near where such railroad damages have been sustained at least ten days before the drawing of such jury. Jury—how drawn.

3. The clerk of the peace on the one side, and the claimants for damages on the other, shall reduce such list to fourteen by each striking off a name alternately as special jurors are struck. Striking off.

4. Where the same persons shall fill the office of prothonotary and clerk of the peace, and no person shall have been appointed for the purpose by a general or special sessions who are hereby authorized to make such appointment, the custos shall attend and act on behalf of the county instead of the clerk of the peace; and in the absence of the custos, or in case the clerk of the peace and custos, or either of them, be claimants for damages, and no person be appointed by the sessions as before mentioned, or if the person appointed do not attend, then any disinterested magistrate may act for the county. When same person hold the offices of prothonotary and clerk of peace.

5. The board of railway commissioners shall, previously to the striking of the jury, furnish the prothonotary with a list of the names of the several claimants for damages through whose lands the railway passes, according to the engineer's return to the board, together with the quantities of land in each case dedicated to the public, and also with a list of the names of those who shall have sustained damages by reason of the railway having deprived them of access to their property, whether on land or water, or having destroyed or impaired any use, easement, or privilege which they had enjoyed in relation thereto: And such commissioners shall also furnish the prothonotary with plans distinctly exhibiting the premises of the claimants, with the line of the railway as it affects the same respectively. If the parties present, who are interested Lists to be furnished by railway commrs.

Regulations regarding the striking of the jury.

as claimants, agree upon any person to strike for them, the prothonotary shall minute the fact in writing, and such person shall act in that behalf. If the claimants can not agree upon any person, or if no claimants attend, or if no one attend to strike on behalf of the county, the prothonotary shall strike for the absent party in the same way as special jurors are struck. If no qualified person appear to strike on either side, the first fourteen names drawn shall be the jury to be summoned.

Venire.

6. The prothonotary shall thereupon forthwith issue and deliver to the sheriff a venire as in schedule A, directing the sheriff to summon such jury to appear at a time and place to be therein named, not more than sixteen days distant. And the sheriff shall duly warn such jurors, and both he and the prothonotary shall attend on the return day of such venire.

Proceedings of jury, duties, &c.

7. The first seven jurors who shall answer upon being drawn and called as petit jurors are drawn and called, shall be sworn by the prothonotary according to the form of oath in schedule B; and a panel of their names shall be prepared by the prothonotary, and by him attached to the venire, and he shall hand such venire to the sheriff, who shall, with such jury, proceed to the execution of their duty forthwith, or on a day to be then named, and whereof the jury shall be duly notified; and if the number of such jurors at any time be reduced by death, inability from illness, or other cause, or through neglect or refusal, the remaining jurors shall proceed as if no such reduction had taken place, provided the whole number be not reduced below five. The jury shall examine the premises in each case, and shall value the land taken and dedicated for the railway, and shall estimate the damages to the property, and investigate each separate claim for damages according to the circumstances, and form their judgment of such damages, as well prospective as present, including loss for delay of payment, and also shall consider the relative benefit as well as injury done to the property by the construction of the railway; and the jury, or in case of disagreement after four hours deliberation, a majority, whether of the full or reduced jury, shall make an appraisement in writing, signed by such jurors, setting forth the amount of damages awarded to each claimant, and particularizing the nature and grounds of such damage, and the property or right in respect of which they accrued, and the sheriff shall within the thirty days next after the swearing in of the jury file the venire and panel with the appraisement and his return with the clerk of the peace. If the jurors be reduced below five before the appraisements are completed, the appraisements duly made previously thereto, shall be returned to the clerk of the peace; and the sheriff shall forthwith summon so many of the jurors drawn and struck, but not at first sworn, as shall be required

Disagreement.

Return of sheriff.

Proceedings if jury reduced below five.

to fill up such jury to the requisite number ; and such replenished jury, or a majority of them, or in case of their reduction to a number not less than five by the causes hereinbefore mentioned, a majority of such reduced jury shall proceed to make the remaining appraisements; and the sheriff shall have power to adjourn or resummon the jury from time to time as occasion may require.

8. For the purpose of securing a fair and impartial appraisalment, the sheriff and jury shall have free access to all public offices, and to the papers, plans, and returns therein; and the railway commissioners, engineers, and officers, if required by either party, and any other persons if subpoenaed, shall attend and give evidence as witnesses, under oath if required by any party interested, and shall also produce all plans, papers and documents under their control touching the matters at issue.

Jury to have access to papers, plans, &c.

9. The prothonotary and clerk of the peace, or person acting for the county, shall be entitled to a fee of twenty shillings each for their services; the sheriff shall be entitled to twenty shillings per day; and the jurors sworn shall be entitled each to the sum of fifteen shillings for every day's actual attendance, in full payment for their services; the jurors not sworn but who were summoned and attended, shall be entitled to five shillings for such attendance, and to travelling fees as now allowed to petit jurors; and the sheriff shall be entitled to a further sum of twenty shillings for warning such jury; which fees shall be assessed, levied and collected, and paid, as ordinary county charges. Every person summoned as a juror and making default in the performance of any of the duties required of him shall forfeit the sum of twenty pounds for each default, to be immediately levied under a warrant from the prothonotary, directed to the sheriff.

Fees.

Forfeit for default of Jury.

10. Within thirty days after the return of any appraisalment, the custos or clerk of the peace, on behalf of the county, or any party interested who may deem himself aggrieved, may apply by affidavit to the supreme court, or a judge thereof, for a summons and order to set the proceedings aside, in whole or in part, or to alter the valuation, which summons shall be served upon the opposite party in the manner specified therein; but such proceedings shall not be set aside upon any mere technical objection, and the court or a judge shall have power, upon satisfactory proof adduced by affidavit or vivâ voce examination of the parties and those interested, to confirm, increase, or reduce the damages, or otherwise rectify the finding of the jury, in substance or form; or, if such court or judge shall see fit, a jury shall be impaneled to try the disputed matters of fact with reference to such damages; and in case the damages complained of shall either be reduced in case of proceedings by the county, or increased

Appeal to supreme court—proceedings in.

in case of proceedings by a claimant, to the extent of one-sixth, costs shall be recovered by the county or party applying, but not otherwise; and the county shall pay the cost of such proceedings, if the damages be not so reduced to be added to the damages, and the party shall pay the cost of such proceedings if the damages be not so increased, to be deducted from the amount of his claim for damages, the court or judge shall make a final order touching the damages and costs, of which a certified copy shall forthwith be transmitted by the prothonotary to the clerk of the peace, and by which the court of sessions shall be governed in the amount of damages and costs to be assessed and collected.

Payment of amt appraised.

11. The amount appraised upon each county shall be payable in two years by equal annual instalments, the first instalment to be paid in one year after such appraisement, with interest at six per cent. per annum for any delay after that period, and the other instalment to be paid in the ensuing year, with like interest for delay of payment.

Certificate of appraisement.

12. After the expiration of the notice required by the twenty-second section, the custos of the county shall deliver to each party in the form in schedule C a certificate, showing the amount to which such party is entitled under such appraisement; and such certificate shall be signed by the custos and countersigned by the clerk of the peace, and shall be payable to order, and be transferable by endorsement, and shall authorize the party entitled to receive the amount of such appraisement, together with interest for any delay of payment after the instalment become due, when the same becomes payable, and which shall be a charge upon the county for all the monies payable thereunder until fully discharged.

Damages—how apportioned and collected.

13. The damages appraised and established under this act, and costs where costs shall be payable, shall be apportioned by the sessions without any delay amongst the townships, districts and places in each county and district, in proportion to the relative benefits which in the opinion of the court are likely to be derived by the several sections from the railway, and the proportion of each township, district and place shall be assessed upon their inhabitants, and shall be levied, collected and paid over, upon the same principle as county rates are or shall be by law levied, collected and paid over, provided that every tenant of real estate for any term less than freehold, who shall pay rate under this act, shall be entitled to deduct from the rent payable by him to his landlord, or otherwise to recover from the owner of the estate so much of the rate paid him as was imposed upon him in respect of such real estate.

In case sessions delay to make apportionment supreme court may amercé.

14. If the sessions shall neglect or delay to make any such apportionment, or to cause any of the monies to be assessed, collected and paid over, which according to this act they ought

to cause to be assessed, collected and paid over, it shall be lawful for the supreme court, or a judge, upon application by any party interested, forthwith to amerce the county for the amounts for which the sessions ought to have made apportionment, as aforesaid, together with the costs of proceeding before the supreme court or a judge, such amercement to be apportioned and assessed by the court or a judge upon the township, district, and places in each county on the principle pointed out in the preceding section, and the court or judge may receive evidence thereon, by affidavit or otherwise, and the sums amerced shall be levied, collected and paid over, in a manner analogous to that in which county rates are levied, collected, and paid over.

15. The prothonotary shall furnish the clerk of the peace with a copy of such amercement and apportionment forthwith after the same shall be made by the court or judge; and the clerk of the peace, within fifteen days after the receipt thereof, shall make out and deliver to the collectors the necessary rolls and instructions, and the collectors for each township, district and place, shall thereupon proceed to collect the amount of such amercement. The clerks of the peace, assessors, collectors, county treasurers, and all other officers whose agency now is or by any law might be required to carry out the assessment, collection and payment of County rates, are hereby required and shall be bound to carry out the provisions of this act according to its true intent, and in case of neglect or violation of duty shall be liable to like penalties as are now or as may be hereafter by law imposed for neglect or violation of analogous duties, touching the assessment, collection, and payment of county rates, and also to an action for damages at the suit of any party aggrieved.

Amercement—
how collected.

Assessors, collectors, &c. must carry out the provisions of this act.

16. All officers employed under the sessions, supreme court, or a judge, in assessing, collecting and levying, shall be compensated for their services under this act at such rate as the sessions shall award; and such compensation shall be a county charge.

Compensation to collectors, &c.

17. The treasurers of the counties shall forthwith pay over all monies received by them under this act to the receiver general, who shall pay to the parties respectively the amounts to which they are legally entitled; and if the sums paid in shall not meet the claims in full, the sessions shall assess and cause to be collected and paid to the receiver general the deficiency; and in their default, the supreme court or a judge shall amerce for the same, and cause it to be collected and paid in agreeably to the several provisions of this act, applicable to assessments by the sessions, and amercements by the supreme court, or a judge.

Sum assessed to be paid to Receiver Gen.

In case amt. fails to meet claims.

18. Section seventeen of chapter one of the acts of 1854, entitled, An act to authorize the construction of railways

Acts 1854, cap. 1, sec. 17, rep'd. Appraisements

in pursuance thereof to remain.

within this province, is repealed, but all appraisements heretofore duly made in pursuance thereof, shall remain as if this act had not been passed.

Compensation for appraiser for co. Halifax, under cap. 1. sec. 17, act 1854.

19. The sessions of the county of Halifax may assess the county for such sum as they consider sufficient to compensate the appraiser appointed by them on behalf of the county, under the seventeenth section of chapter one of the acts of 1854, for his services in that capacity.

Parties entitled to benefit of act.

20. Parties, for whose lands, taken for the railway, appraisements have been made and set aside, shall be entitled to the benefit of this act, and the damages sustained by Messieurs Piers shall be appraised, assessed, collected, and paid to the receiver general, who in settling with them shall deduct therefrom the amount paid to them out of the treasury in anticipation of their claim.

Amendment of proceedings.

21. No proceeding had or taken under any of the clauses of this act shall be set aside on any formal or technical ground, or in consequence of such proceedings not being in accordance with the strict letter of this act; but such proceedings may be commenced anew, renewed or amended in any stage thereof on application to the supreme court or a judge, and when so commenced, renewed, or amended, shall be as legal, valid, and binding on all parties concerned as if no such formal or technical objection had existed thereto, or as if no such new or amended proceedings had been had.

Notice of amt. and description of land to be advertised.

22. No monies assessed or collected under this act, with the exception of the sums assessed in favor of Thomas Kenny and William Davey, and confirmed by the supreme court, shall be paid over until after notice specifying the amount and describing the land in respect of which the same is assessed, shall have been published for sixty days in the county newspaper, if there be one, and also in the Royal Gazette, which advertisement shall be made by the clerk of the peace immediately after the return of the appraisement by the sheriff, and shall be paid for as a county charge. If, within such period, objection founded on affidavit to be filed in the office of the clerk of the peace, be made by or on behalf of any person claiming to be entitled, other than the absolute owner in his own right, in fee simple in possession, and under no legal disability, payment of the sum assessed and collected, and respecting which such objection shall have been stated, shall not be made without the order of the supreme court or a judge, which court or judge shall have power to make such an order respecting the payment or the deposit or investment thereof, or the payment of interest accruing thereon, as to such court or judge may seem equitable and just.

In case of objection made.

Appraisement in favor of Kenny and Davey—how collected, &c.

23. The appraisements made under the authority of the act hereby repealed in favor of Thomas Kenny and William Davey, and which have been confirmed by the supreme court,

together with the interest thereon from the time their lands were taken possession of for the railway up to the time of actual payment, and costs payable under the order of the court granted on the first day of December last on the application of those parties respectively, shall be levied, collected, and paid to the county treasurer as in the case of county assessments under the existing law or any law in amendment thereof, and for that purpose the clerk of the peace shall within thirty days after the passing of this act make out and deliver to the collector or proper officers the necessary rolls, instructions, and papers, and the collectors and proper officers shall forthwith make collection and payment to the county treasurer who shall immediately pay over the amount received by him to the receiver general, by whom the sums due and payable to the said Thomas Kenny and William Davey, for principal, interest and costs shall be paid to them respectively.

24. The cost of fencing necessary in the construction of the railway shall be levied from the respective counties within which the railway is or should be constructed at the rate of fifty pounds per mile of railway within each county, and shall be apportioned by the sessions subject to amercement by the supreme court, and shall be collected and paid over to the receiver general in the manner directed by this act in the case of railway damages. No county wherein this act shall be carried out bona fide shall be required to assess in any one year for damages to lands and costs of fencing; that the costs of fencing shall be payable in two years, one half each year, and the first half thereof shall be imposed and collected in the year next following that in which the last instalment for land damages shall have been imposed, or which the same under the provisions of this act should have been imposed.

Cost of fencing.

25. Out of the sum assessed to pay the amount of damages at the African settlement there shall be repaid the amount advanced by the railway board for the purchase of land from Messieurs Drillio.

Amt advanced by railway board to Messrs Drillio to be repaid.

26. The court of sessions shall require the treasurers and collectors to give sufficient bonds in the name of her Majesty, conditioned for the faithful discharge of their duties.

Bonds from treasurers, &c.

SCHEDULE A.

Venire—To wit :

To the Sheriff of

You are hereby commanded to summon A. B., &c., Jurors, duly appointed to appear at _____ on the _____ day of _____ at _____ o'clock, then and there to qualify themselves for the purpose of appraising the damages sustained by certain claimants for damages in respect of lands taken for railway purposes, and in respect of other injuries within the provisions of the sta-

tutes of Victoria, entitled "An act to authorize assessments for railway damages," and have you then there this writ.

Issued this day of A. D.

SCHEDULE B.

Juror's oath.

You swear that you will truly appraise the damages sustained by the respective proprietors of lands taken for the track of railways, and for stations, and for materials taken from any lands for railway purposes, and that in the case of claimants for damages by reason of the line of railway having deprived them of access to their lands, or having destroyed or impaired any easement or privilege which they had enjoyed in relation thereto, you will truly appraise the damage so sustained by such parties respectively; and you do swear, that in every case you will faithfully examine the premises, and will investigate each case according to the circumstances, and that you will impartially, form your judgment of the damages as well prospective as present, including loss for delay of payment, and also will impartially consider and estimate the relative benefit as well as injury to the property by the construction of the railway, and will deduct the benefit likely to be derived by the claimants from the railway running near to their lands, and that you will in all things decide according to the best of your judgment and ability. So help you God.

SCHEDULE C.

This is to certify that A. B. is entitled to receive the sum of £ which on the day of 185 was appraised for railway damages, under the act of 1857, entitled "An act for authorizing assessments for railway damages," payable to the said A. B., or his order, in two equal annual instalments, in the manner following, that is to say: One half of the said sum on or before the expiration of one year, from the date of the appraisal as above mentioned, and the other half on or before the expiration of two years from that date, together with interest on each instalment, after the time of payment shall have elapsed.

Given under my hand this day of A. D.

C. D., custos of county of

E. F., clerk of the peace.

CHAPTER 14.

An Act to extend the provisions of the Act concerning the Registry of Ships.

(Passed the 1st day of May, A. D., 1857.)

Endorsement of change of master.

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

1. Collectors of Colonial duties shall have the same power to endorse from time to time on the certificate of registry of any ship at any port where such ship may be, any change of master which takes place at that port as are given to registrars of shipping under the act 18 Victoria, chapter 11, entitled, "An act concerning the registry of ships," and the act of the imperial parliament, entitled "The merchants' shipping act, 1854."

Endorsement of change of master.

CHAPTER 15.

An Act to prevent the destruction of Oysters.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Oysters placed in beds not to be disturbed. Penalty.

SECTION.

2. Recovery of Penalty.
3. Duration of act.

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

1. It shall not be lawful for any person to take any oysters from beds where they have been placed for propagation, or to injure or destroy them, or wilfully obstruct their growth therein, in any part of this province: and every person who shall so take, injure, destroy, or obstruct the same shall forfeit and pay for each offence ten shillings in addition to the sum of ten shillings for every bushel of oysters, including the shells so taken, injured, or destroyed.

Oysters placed in beds not to be disturbed.

Penalty.

2. The penalty imposed under the preceding section may be recovered by any person who will sue for the same, in the same manner as private debts of a similar amount are now recoverable, and shall be appropriated to the use of the prosecutor.

Recovery of penalty.

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

Duration of act.

CHAPTER 16.

An Act to amend the Act to establish a more equal and just system of Assessment.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. County and poor rates for present year—how collected.
2. Omission, &c., at sessions—how supplied
3. Omission at town meeting.
4. Assessors—duties of for current year.
5. Compensation for assessors.

SECTION

6. Forfeit for neglect, &c.
7. Rev. stat. sec. 14, cap. 46.
8. Poll tax.
9. Addition to certificate.
10. Assessors—local and general appointment of.
11. Meeting—Notification of.
12. Appeals.

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

County and poor rates for present year—how collected.

1. For the present year the assessment for county and poor rates in all the counties of this province which have not carried out the provisions of the act hereby amended, shall be made and collected under chapters 46 and 87 of the revised statutes, and in the same manner as if the act hereby amended had not passed ; and in such counties all proceedings of the courts of sessions and of county and town officers already taken in conformity with such chapters are legalized and confirmed.

Omission, &c., at sessions—how supplied.

2. Any defect or omission which may have occurred, and any apportionment which may have been omitted or neglected at the last general sessions of the peace in any of such counties, and which would have been requisite or proper to carry out the provisions of such chapters, may be supplied or made at a special sessions to be called for the purpose.

Omission at town meeting.

3. Any defect or omission that may have been made at any town meeting for the support of the poor in any township or settlement in any of such counties, or any apportionment that may have been neglected therein, may be supplied or made by any two magistrates of the township or settlement upon application of the overseers of the poor.

Assessors—duties of for current year.

4. In such counties it shall be incumbent upon the assessors of county rates to discharge the duties prescribed by chapter 46 of the revised statutes in reference to the assessments to be made during the current year, and afterwards at the time and in the manner prescribed by the act hereby amended, to discharge the duties imposed upon assessors by such act.

Compensation for assessors.

5. Assessors performing any duties under the last-mentioned act, shall return with the assessment roll a statement of the time spent by them in such duties ; and such compensation for their services, not to exceed five shillings per day for each assessor, as shall be presented by the grand jury and con-

firmed by the court of sessions, shall be a county charge, and be added to the amount to be assessed upon the county.

6. Any assessor neglecting or refusing to be sworn into office or to perform any of the duties assigned to him under this act or the act hereby amended, shall forfeit five pounds, to be recovered in the same manner as a private debt before any two justices of the peace, by any person who will sue for the same. Forfeit for neglect, &c.

7. Section 14 of chapter 46 of the revised statutes is amended as follows: Rev. stat. sec. 14, cap. 46.

“Collectors shall, without delay, pay over the monies received to the treasurer, who, if necessary, may maintain an action therefor as for money had and received to the use of such treasurer; and such action, whatever may be the amount claimed, may be brought before any two justices of the peace for the county, subject to appeal as in ordinary cases.”

8. The proportion of local and direct taxation to be raised as a poll tax shall, after the present year, be one-fourth instead of one-eighth as specified in the fifth section of the act hereby amended, provided that such poll tax shall not exceed the sum of one shilling and sixpence on any individual. Poll tax.

9. The following words shall be added to the certificate contained in the tenth section of the act hereby amended, that is to say, “We further certify that we have in such roll set down the names of all the inhabitants within such district subject to a poll tax.” Addition to certificate.

10. It shall be lawful for the general sessions of any county, on presentment from the grand jury recommending the same, instead of appointing assessors for separate townships and places, as provided by chapter 46 of the revised statutes, to appoint in the same manner as other county officers are appointed, two assessors for each electoral district within the county who shall be called local assessors, and also to appoint for the whole county three assessors, to be called general assessors; and thereafter the assessment roll for each electoral district in any such county shall be made up by the three general assessors and the two local assessors of the district, acting as a board of assessment for such district. Assessors local and general—appointment of.

11. In such case the clerk of the peace shall duly notify the local assessors of the days and places that shall be appointed by the general assessors, for holding a meeting of the assessors in each electoral district; and it shall be the duty of the general assessors and local assessors to meet at the time and place named in such notification, for the purpose of making up the assessment roll. Meeting—notification of.

12. In all matters of appeal and other matters connected with county and poor rates, proceedings shall be had in all cases agreeably to chapters 46 and 87 of the revised statutes, unless the same are modified by this act or the act hereby amended. Appeals.

CHAPTER 17.

An Act to amend and render perpetual the Act to authorize Special Sittings of the Supreme Court for the Trial of Criminals.

(Passed the 1st day of May. A. D. 1857.)

SECTION

1. Act 1854, cap. 20, rendered perpetual.

SECTION

2. Extended to trials for misdemeanors.

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

1. Chapter "Twenty" of the acts of 1854, entitled "An act to authorize special sittings of the supreme court for the trial of criminals, as hereinafter amended, is hereby rendered perpetual, together with such amendment.

2. The provisions of the above act may be extended to the trial of criminals charged with misdemeanor.

Act 1854, cap. 20, rendered perpetual.

Extended to trials for misdemeanors.

CHAPTER 18.

An Act to regulate the practice of Physic and Surgery.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Persons entitled to recover fees

2. Credentials to be registered in sec. office.

3. All who have practised in prov. previous to 1821 entitled to licence.

4. All provincial medical appointments to be held by persons registered.

SECTION

5. Penalty.

6. Certified copy of credentials, &c., to be received in evidence.

7. Rev stat. cap. 57, act 1856, cap. 22, and act in amendment repealed.

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

1. No person shall recover any fee or reward for curing or attempting to cure any disease, or for performing any surgical operation, who shall not previously have obtained the degree of Doctor of Medicine, or a certificate of his competency to practice as a Surgeon from some college or other public institution legally authorized to grant such degree or certificate, or who shall not have received a license under the hand and seal of the Governor, after having been examined and reported duly qualified by competent persons appointed by the Governor, which license shall specify that the person so licensed is qualified to practice physic or surgery or both; but nothing in this act shall extend to physicians or surgeons in the naval or military service of her Majesty.

2. It shall be incumbent upon every person claiming to be a physician or surgeon or to have license to practice as hereinbefore mentioned, to produce and register in the provincial

Persons entitled to recover fees.

Credentials to be registered in sec. office.

secretary's office, in a book to be kept for that purpose, the credentials under which he founds his claim to that character, and such book for registry shall be open to inspection at all times on payment of one shilling.

3. Every person resident in the province and who shall have practised therein previously to the year 1821, shall on proof of that fact, be entitled to receive a license to practice under the hand and seal of the Governor.

All who have practised in prov. previous to 1821 entitled to licence.

4. Hereafter all provincial medical appointments and commissions shall be held only by medical men duly registered under the provisions of this act.

All provincial medical appointments to be held by persons registered
Penalty.

5. All persons professing to have medical or surgical degrees, or a license to practice, save physicians or surgeons, on her Majesty's service, and not duly registered agreeably to the provisions, shall forfeit a penalty of five pounds for every such offence, and shall not be entitled to recover any fee or reward for professional services.

6. A copy of such credentials or report certified by the provincial secretary, shall be received in evidence in all courts in this province in any action for the professional services of the party so registered.

Certified copy of credentials, &c., to be received in evidence.

7. Chapter 57 of the revised statutes, "Of regulations concerning the practice of physic and surgery," and chapter 22 of the acts of 1856 in amendment thereof, are hereby respectively repealed.

Rev. stat. cap. 57, act 1856, cap. 22, and act in amendment repealed.

CHAPTER 19.

An Act to authorize assessments to procure Fire Engines.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. General sessions may assess for fire engines.
2. Property to be assessed.
3. Assessors.

SECTION

4. Collectors—payment how enforced.
5. To be paid into the county treasury—action against collectors.
6. Forfeit for neglect of duty—recovery of.

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

1. The general sessions for any county may hereafter assess upon a district, to be by them defined, such sum of money as they shall think necessary to be applied in procuring a fire engine with hose, fire buckets, and other necessary appurtenances for such district; and also such sums as may be required from time to time for keeping the same in repair.

General sessions may assess for fire engines.

2. Such monies shall be assessed upon houses and buildings and every description of insurable personal property within such district, by assessors to be appointed by such general sessions, at such times and in such proportions as such general sessions shall direct.

Property to be assessed.

Assessors.

Collectors—pay-
ment how en-
forced.

3. Such assessors shall appoint one or more collectors, who shall collect such monies and such monies shall be collected and payment thereof enforced in the same manner as county rates are collected and their payment enforced.

To be paid into
the county trea-
sury—action
against collec-
tors.

4. Such collectors shall pay over the monies by them collected to the county Treasurer, and the county Treasurer may maintain an action for money had and received against any of such collectors who shall not pay over the monies by him collected.

Forfeit for neg-
lect of duty—
recovery of.

5. Any collector or assessor who shall neglect to perform the duties of his office, shall forfeit a sum not exceeding ten pounds, to be recovered in the name of any person who will sue therefor, in the same manner and with the like costs as if it were a private debt due such person.

CHAPTER 20.

An Act to amend the Act for the Municipal Government of Counties.

(Passed the 1st day of May, A. D. 1857.)

SECTION	SECTION
1. Districts may be altered.	9. Elections.
2. Meeting of Councillors	10. Commissioners of sewers.
3. Warden right to vote.	11. Inspectors of lumber, &c.
4. Provisions, &c. of rev. stat. cap. 64. and act in amendment thereof.	12. Pickled Fish.
5. Provisions, &c. of cap. 33 of rev. stat extended to municipalities.	13. Commons.
6. Jury list—revision of.	14. Municipality clerk—power, duties of.
7. Public property to be under manage- ment of the council.	15. Judicial district commissioners—pow- er, &c
8. Purchase of land, &c.	16. Continuation of causes.
	17. Seamen—power as regards them.
	18. Votes of money.

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

Districts may be
altered.

1. The municipal councils may, if they see fit, alter the limits, and increase or diminish the number of electoral districts in their respective municipalities, each of which districts shall elect one councillor, and in laying off the districts regard shall be had to the population so as to equalize the districts as far as possible in that respect.

Meeting of
Councillors.

2. The councillors of any district, or the councillors of any number of districts, in matters relating exclusively to such district or districts, may meet together with the warden, and they shall have full authority to manage all such matters, independent of the control of the council.

Warden right
to vote.

3. The warden or temporary chairman shall have a right to vote on all questions before the council ; and the latter part of the twenty-fifth section of the act hereby amended, regarding the right of the warden or temporary chairman to vote, is repealed.

Provisions, &c.
of rev. stat. cap.

4. The provisions of chapter sixty-four of the revised statutes, "Of commissioners of streets," and the act passed in

the sixteenth year of her present Majesty's reign in amendment thereof, shall extend to all municipalities, and all the powers by such act vested in the sessions and grand jury, are hereby vested in the council of the municipality, and the power and authorities of the commissioners are hereby vested in the commissioners to be appointed by such council.

64, and act in amendment thereof extended to municipalities.

5. All the provisions of chapter thirty-three of the revised statutes, "Of the census and statistical information," shall extend to the municipalities, and all the powers, authority, and duties, given and imposed upon the sessions and clerk of the peace, shall be exercised and performed by the municipality council and the municipality clerk, and the officers and persons appointed by them to carry out the provisions of that chapter. The municipality councils shall appoint committees of their own body to revise the jury lists in accordance with the acts relating thereto, and shall fulfil all the duties imposed by those acts on the committees of the sessions.

Provisions, &c. of cap. 38 of rev. stat. extended to municipalities.

Jury lists—revision of.

6. Notwithstanding the ninth clause of chapter ninety-seven of the revised statutes, "Of trustees of public property," all property of every description belonging to the municipality, or any district or districts, shall be under the management and control of the municipal council, or of the warden and the councillor or councillors of such district or districts.

Public property to be under management of the council.

7. Whenever it shall become necessary to purchase land or buildings, or to erect buildings for the use of municipalities, or of townships or districts, the assessment for the amount required therefor may, if it be thought advisable, be made payable by yearly instalments, to be collected and levied on such municipalities, townships, or districts, liable therefor, but such payment shall not be made to extend over a longer period than five years.

Purchase of land, &c.

8. The election for warden and councillors may be by ballot or otherwise, as shall be determined by the council.

Elections.

9. Municipality councils shall appoint commissioners of sewers in their respective districts or counties, who shall have power and authority to carry out the provisions of chapter seventy-three of the revised statutes, "Of commissioners of sewers, and the regulation of dyked and marsh lands," and shall also appoint inspectors of provisions, lumber, fuel, and other merchandize, under the eighty-fifth chapter of the revised statutes, except the inspectors of pickled fish.

Commissioners of Sewers.

Inspectors of lumber, &c.

Pickled Fish.

10. The municipality councils shall have the same power and authority respecting commons as is now vested in the sessions, under the seventy-fourth chapter of the revised statutes, "Of commons."

Commons.

11. All power and authority now vested in, and all duties now imposed on clerks of the peace and town clerks, shall be vested in, and be performed by, the municipality clerks.

Municipality Clerk—power, duties of, &c.

Judicial district
commissioners
—powers of, &c

12. All the powers and authorities vested in justices of the peace by the ninety-first chapter of the revised statutes, “Of the maintenance of bastard children;” also, by the one hundred and twenty-fifth chapter of the revised statutes, “Of masters, apprentices, and servants;” also, by the one hundred and fifty-seventh chapter of the revised statutes, “Of offences against religion;” also, by the one hundred and fifty-eighth chapter of the revised statutes, “Of offences against public morals,” shall be exercised by the judicial district commissioners of the municipality.

Continuation of
causes.

13. The judicial district commissioners may, on good grounds shewn by affidavit, continue a cause to the next monthly meeting.

Seamen—power
as regards
them.

14. The warden, and any one of the councillors, shall have power, on the sworn complaint of the master, to arrest any seaman of a British, provincial, or foreign vessel who, having signed regular articles, and not being duly discharged therefrom, shall wilfully absent himself from his vessel; and after hearing both parties, if he find the complaint well founded and just, to compel the seaman to return to duty if requisite; also, to send him to jail until the vessel is ready for sea, and give the aid of constables in carrying him on board his vessel.

Votes of mo
ney.

15. No vote shall pass the municipality council other than the annual vote for the maintenance of the poor, or for ordinary annual county or district purposes, to a greater amount than fifty pounds, unless the same shall have been sanctioned by the majority of qualified electors present at a public meeting, which shall have been called for the purpose, and presided over by the warden, or one of the councillors, of the time and place of which meeting ten days’ notice shall have been given.

CHAPTER 21.

An Act to amend the Act to establish a Normal School.

(Passed the 1st day of May. A. D. 1857.)

SECTION

1. Model School at Truro.
2. To be considered as schools of the district.
3. Teachers—how chosen, &c.
4. Salary of

SECTION

5. Source of Endowment.
6. Increase of Salaries.
7. Code of rules.
8. Diplomas.
9. Acts 1854, cap. 5, sec’s 6 and 7, repealed.

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

Model Schools
at Truro.

1. The model schools now in course of erection at Truro in connection with the normal school, shall be considered as an integral part of such normal school, and shall be under the control of the commissioners of that institution.

To be consider
ed as schools of
the district.

2. Such model schools shall be recognized by the board of school commissioners of the county of Colchester proper, as

the schools of the district, and shall be entitled to all the rights and immunities appertaining thereto, and the bounds of the district shall be fixed by such school commissioners.

3. The teachers of the model school shall be chosen in the same manner as the teachers of the normal school, and shall be under the same management and control. Teachers—how chosen, &c.

4. The teachers of the primary, juvenile, and high schools shall receive respectively fifty pounds, seventy-five pounds, and one hundred pounds per annum; and the sum now payable to the academy at Truro, together with a grant of twenty-five pounds to be made by the school commissioners of the district, and a further sum of one hundred pounds to be drawn annually from the treasury, shall be the source from which this endowment is derivable; and when the fees to be received from scholars attending these schools shall yield a sufficient fund, the salaries above mentioned shall be increased to one hundred pounds, one hundred and fifty pounds, and two hundred pounds respectively; and the surplus of such fees shall be appropriated towards the general improvement of the model schools, and an account of the expenditure of such surplus shall be rendered annually to the legislature. Salary of.

5. The superintendent of education is authorized to draw up a code of rules for the regulation of the model schools, such code of rules to be submitted to the commissioners of the normal school and receive their sanction before going into operation. Source of Endowment.

6. The principal of the normal school shall be empowered henceforth to grant diplomas as well for grammar schools as for common schools, and the time of attendance and amount of qualification of every one intending to graduate for a grammar school diploma shall be fixed by the commissioners of the normal school. Increase of salaries.

7. The sixth and seventh clauses of chapter five of the acts of 1854 entitled "An act to establish a normal school," are repealed. Code of rules

CHAPTER 22.

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

(Passed the 1st day of May, A. D. 1857.]

SECTIONS

1. Acts continued.
2. Allowance for common schools—division of, &c.

SECTIONS

3. School district to be assisted by educational district which it intersects.
4. Grant for Grammar Schools in co. of Cape Breton.

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

1. Chapter 60 of the revised statutes, "Of public instruction," as amended by the acts hereinafter mentioned and by Diplomas.

Acts 1854, cap. 5, sec's 6 and 7, repealed.

Acts continued.

this act, also the act 13th Victoria, chapter thirty-six, entitled, "An act relating to the Pictou academy;" also, chapter twenty-five of the acts of 1854, and chapter thirty-three of the acts of 1855, respectively entitled, "An act to continue and amend the laws relating to education," are hereby respectively continued until the first day of May, in the year one thousand eight hundred and fifty-eight.

Allowance for common schools—division of, &c.

2. The allowance for common schools shall be increased to the sum of fourteen thousand eight hundred and ninety pounds, and shall be divided among the various counties and districts in the proportion of one third in addition to the amounts which they now receive under chapter sixty of the revised statutes and the acts in amendment thereof.

School district to be assisted by educational district which it intersects.

3. Where the bounds of any school district are intersected by the lines of educational districts into which any county may be divided, such school district shall be assisted proportionally by the board of commissioners for each educational district by the lines of which the bounds of such school district are so intersected.

Grant for grammar schools in co. of Cape Breton.

4. The sum of one hundred pounds granted for the support of three grammar schools in the county of Cape Breton, may hereafter be applied to the support of two grammar schools only in that county.

CHAPTER 23.

An Act for the destruction of Weeds injurious to agriculture.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Regulations how made.
2. Inspectors—penalties.
3. Application of rules.
4. Fines—how recovered.
5. Duty of inspectors.
6. Districts.

SECTION

7. Penalties for inspectors.
8. Remuneration.
9. Fines, &c. to be paid into the co treasury.
10. Special sessions may be summoned.

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

Regulations—how made.

1. The justices in general sessions in each county, shall have power to make rules or regulations for the destruction and prevention of the growth of weeds injurious to agriculture, which rules and regulations shall have the force of law.

Inspectors—penalties.

2. The sessions shall appoint inspectors or officers to carry such rules and regulations into effect. And they shall affix penalties to the violation of such rules and regulations, not to exceed five pounds. And shall make such rules and regulations applicable to all lands, highways, streets, lanes, and cemeteries, whether owned or in possession of commissioners, trustees, incorporations, or private individuals. And to lands owned by individuals, trustees, or incorporations, absent from

Application of rules.

the county or province. And all monies or fines payable by such non-resident persons, whether private individuals, trustees, or incorporations, under and by virtue of this act or such regulations, may be sued for and recovered in the supreme court in the name of such inspector or officer, although such fines or monies may be under the sum of five pounds, either by a writ of summons, or in case of individuals, trustees, or incorporations, absent from the province, by a writ of attachment briefly setting forth the cause of action. And all fines and monies payable under and by virtue of this act or such rules and regulations, by individuals, trustees, commissioners, or incorporations resident within the county, shall be sued for and recovered before one or two justices in the name of the inspector, in the same manner and with like costs as if the same were a private debt.

Fines—how recovered.

3. The general sessions shall annually appoint inspectors who shall be sworn to the faithful discharge of their duty, whose duty shall be to carry into effect the provisions of this act, and the rules and regulations of the sessions made by virtue hereof. And the sessions shall fix the limits of the districts within which such inspectors shall act, and shall make rules and regulations applicable to such districts, and have power to affix penalties for the neglect or non-performance of the duties of such inspectors, which fines or penalties shall be sued for and recovered by the clerk of the peace for the time being, in the same manner and with like costs as if the same were a private debt.

Duty of inspectors.

Districts.

Penalties for Inspectors.

4. The sessions shall provide for the remuneration of such inspectors to be appointed as hereinbefore directed, either out of the fines and penalties recovered hereunder, or out of the county treasury, or otherwise as they shall see fit.

Remuneration.

5. All fines and penalties recovered under this act, or such rules and regulations, shall be paid into the county treasury.

Fines, &c, to be paid into the co. treasury.

6. In those counties where the general sessions have been held, a special sessions may be summoned to meet at the court house to make regulations for carrying out the provisions of this act.

Special sessions may be summoned.

CHAPTER 24.

An Act to amend chapter 130 of the Revised Statutes, "Of the Probate Court," and the Acts in amendment thereof.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Appeal when to be made.
2. Cause may be remitted.
3. Hearing of appeal. If judgment confirmed. If reversed.
4. Entering the appeal.

SECTION

5. Desperate debts.
6. Conveyance under acts.
7. Surrogate—appointment, powers of, &c.

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

Appeal—when
to be made

1. The appeal directed by the forty-first section of the chapter hereby amended, to be made to the supreme court at its next sitting in the same county, may be made directly to the supreme court, in Halifax, whenever the supreme court shall meet in Halifax, previously to the sitting in the county from whence such appeal is made.

Cause may be
remitted.

2. In case it shall appear that the ends of justice will be promoted thereby, the appeal court may remit the cause to the Probate court for a further investigation of facts, or more perfect consideration with such instructions, and upon such terms as may be deemed advisable.

Hearing of Ap-
peal.

3. When an appeal shall have been duly perfected, the appellant may cause the same to be heard before any two judges of the supreme court, at chambers, upon a *rule nisi* there to be obtained. If their decision shall confirm the decision appealed from, the same shall be final. If the judgment appealed from be reversed or altered, then, upon the motion of any party who may be dissatisfied, such cause may be entered and argued before the judges in term, as heretofore.

If judgmt. con-
firmed.

If reversed.

Entering the
appeal.

4. In case the appellant, after fourteen days' notice to be given him by the respondent requiring him to enter the appeal for argument at chambers, shall neglect so to do, then the respondent shall be entitled to enter the same, and shall also be entitled to a *rule nisi*, to confirm the decision of the judge of probate.

Desperate debts

5. An executor or administrator, at any time after the lapse of twelve months from the issuing of probate or letters of administration, may file an affidavit in the registry of the court, with a schedule of desperate debts attached, containing the particulars of dates, names, and amounts, setting forth therein that such debts are, as he believes, desperate, and that he has been unable to collect the same, and thereupon the judge of probate may make an order for the equitable division

of the same among the creditors, next of kin, or other parties entitled, or may appoint auditors for that purpose, whose judgment shall be subject to confirmation by the court, and on the division which may be ordered by the court, the parties to whom the debts are allotted shall have all the rights and remedies for the recovery in their own names of the debts assigned, which such executors or administrators possessed.

6. Every conveyance made under the provisions of this act, or the act hereby amended and registered in the county where the lands lie, shall be taken as presumptive evidence that all the proceedings on which the same is founded were rightly had.

Conveyance under act.

7. A judge of probate shall have power to appoint a surrogate during any temporary absence, subject to the approval of the Governor in Council, and such surrogate during such absence shall possess all the powers, and discharge the duties of the judge of probate.

Surrogate—appointment, powers of, &c.

CHAPTER 25.

An Act to amend chapter 118 of the Revised Statutes, "Of the Sale of Lands to satisfy Execution debts."

(Passed the 1st day of May, A. D. 1857.)

SECTION 1.—May be sold in one year.

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

1. Lands may be levied on under execution, and sold when the judgment which binds such lands has been recorded for one year.

May be sold in one year.

2. So much of the chapter hereby amended, as is inconsistent with this act, is repealed.

CHAPTER 26.

An Act to amend chapter 122 of the Revised Statutes, "of Marriage and the Solemnization thereof."

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Every resident ordained officiating minister may solemnize marriage.

SECTION

2. Licences—how directed.

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

1. Every duly ordained minister of any body of christians resident within this province, engaged in missionary labors, or officiating for any congregation of christians, may solemnize

Every resident ordained officiating minister may solemnize marriage.

marriage by license, although he should not be the settled minister of a congregation.

2. The governor may direct marriage licences to such minister for the solemnization of marriage in accordance with the provisions of section four of the chapter hereby amended.

Licences—how directed.

CHAPTER 27.

An Act to amend chapter 1 of the Acts of 1854, entitled, "An Act to authorize the construction of Railways within this Province."

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Preamble.
2. Railway Board.

SECTION

3. No government officer or member to be security for railway contracts.

Preamble.

Whereas a railway board of six commissioners, with salaries in the aggregate amounting to one thousand seven hundred pounds, per annum, is needlessly large and expensive, Be it therefore enacted by the Governor, Council, and Assembly, as follows:

Railway Board.

1. The railway board shall consist of a chairman and two commissioners.

No government officer or member to be security for Railway contracts.

2. No person holding a place in the provincial government, or a seat in the legislature, shall hereafter become security, or be answerable for the performance of any contract with the railway commissioners, or of any work or engagement in relation to the railway.

3. So much of the act hereby amended as is inconsistent with this act, is repealed.

CHAPTER 28.

An Act to postpone the ensuing Easter Term of the Supreme Court at Halifax and the sittings thereafter.

(Passed the 13th day of April, A. D. 1857.)

SECTION—Ensuing easter term and sittings thereafter postponed.

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

Ensuing easter term and sittings thereafter postponed.

1. The ensuing easter term of the supreme court at Halifax shall be held on the fourth Tuesday of April, instead of on the second Tuesday thereof; and the sittings thereafter on the second Tuesday of May instead of the fourth Tuesday of April, and all matters and proceedings pending or to be had therein shall be had and proceeded with, and all jurors, officers and parties bound to appear thereat shall appear and attend on the fourth Tuesday of April and second Tuesday of May, instead of on the second Tuesday of April and fourth Tuesday of April.

CHAPTER 29.

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

(Passed the 1st day of May, A. D. 1857.)

MAY IT PLEASE YOUR EXCELLENCY :

We, her Majesty's dutiful and loyal subjects, the House of Assembly of her Majesty's province of Nova Scotia, towards appropriating the supplies granted to her Majesty, and for supplying the exigencies of her Majesty's government, do humbly beseech that it may be enacted; and

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

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

Two hundred pounds to the speaker of the house of assembly, for his salary as speaker for the present year. £200 speaker.

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

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

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

Two hundred pounds to the clerk of bills to the house of assembly, for his services during the present session. 200 clerk of bills.

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

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

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

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

One hundred pounds to the clerk of the board of revenue, for his services during the present year. 100 clerk board of revenue.

Such sum, to be paid on the certificate of the board of revenue, as may be sufficient to pay, at the rate of seven shillings

and sixpence per day, to such persons as shall be employed by the receiver general as extra waiters for the port of Halifax, during the present year; five shillings a day to such extra waiters when unemployed, and at the rate of five shillings a day to temporary waiters. Pay of waiters.

- £300 guager,
&c. Three hundred pounds to such persons as the Governor shall appoint to discharge the duties heretofore performed by the guager, weigher, and proof officer for the port of Halifax.
- 60 keeper of assembly house.
&c. Sixty pounds to the keeper of the assembly house, council chamber, and law library, for the present year.
- 400 Sable Island Four hundred pounds, to be at the disposal of the Governor, for the support of the establishment at Sable Island, for the present year.
- 50 Guysboro' packet. Fifty pounds to such persons as shall run a proper packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the sessions of the counties of Guysborough and Richmond, to be paid on the certificate of such sessions that the packet has been properly kept and run during the present year, and with the same provisions and regulations concerning the Judges on circuit and conveyance of mails, as contained in the act of last year.
- 20 to ferry at Douglas. Twenty pounds to aid the inhabitants of Douglas, at the mouth of the river Shubenacadie, in supporting a suitable boat or scow to run between Londonderry and that place, such boat or scow to be under the regulations of the sessions for the county of Hants, to be paid upon the certificate of three justices of the peace residing in Douglas that such boat has been running at least twice a week for six months to their satisfaction, under the regulations aforesaid.
- 20 to ferryman at Shubenacadie. Ten pounds each to the two licensed ferrymen at the mouth of the Shubenacadie, in the counties of Colchester and Hants, for the transportation of horses and carriages across that river—to be paid upon the certificate of the general or special sessions of each county respectively, that such ferry has been duly attended and proper boats procured and used.
- 20 to ferryman at LaHave. Ten pounds each to Joseph Pernette and Charles Pernette, for keeping up the ferry over LaHave river.
- 10 Cornelius Craig, Ferry Sable River. Ten pounds to Cornelius Craig, to enable him to keep up a ferry across the Narrows at the entrance of Sable River, in the county of Shelburne, under the regulations of the sessions, and to be paid on their certificate.
- 10 Alexr. McGuire, Ferry, Canso. Ten pounds to Alexander McGuire, or such other person as shall run a ferry boat or scow between Carter's Landing, on the western side of the Strait of Canso, and Alexander McPherson's, on the eastern side thereof—to be paid on the certificate of the sessions for the county of Guysborough, that such boat or scow has been provided and run under their regulations, and to their satisfaction.
- 10 Alexr. McPherson. Ten pounds to Alexander McPherson, to enable him to run a suitable ferry boat or scow between his landing, on the eastern side of the Strait of Canso, and John Carter's, on the western side thereof—to be paid on the certificate of the sessions for the County of Richmond that such boat or scow has

been provided and run under their regulations, and to their satisfaction.

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

£20 Ferry Port L'Herbert.

Ten pounds to Duncan McPhee, to enable him to maintain a ferry between Low Point and the Sydney Mines at the mouth of Spanish River, in the county of Cape Breton—to be paid on the certificate of three justices of the peace for the county of Cape Breton that he has faithfully discharged the duties assigned him by the sessions.

10 Duncan McPhee, Ferry, Syd. Mines.

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

15 ferry, Sable Island.

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

15 ferry, Amherst.

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

10 ferrymen, Grandique river.

Twenty pounds to the ferrymen at Sheët Harbor and the mouth of the North West Arm, in the county of Halifax.

20 ferries Sheet Hr and N. W. Arm.

Five pounds each to such two persons, one on each side of Liscomb Harbor, in the county of Guysborough, as shall maintain a ferry across the harbor during the present year—to be paid on the certificate of three justices of the peace of the county that suitable boats have been provided, that the ferry has been conducted under the regulation of the sessions, and that the public have been properly accommodated.

10 ferry, Liscomb harbor.

Five pounds to John Leary, the ferryman at Basin Gut, Sambro, in the county of Halifax.

5 ferrymen, Sambro.

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

20 ferrymen, Bras d'Or Lake.

Seven pounds and ten shillings to Charles Smith, to enable him to keep a ferry over Necum Teuch River, Eastern Shore, in the county of Halifax.

7 10 to ferrymen, Necum Teuch.

7 10 ferry, Liscomb harbor.

Seven pounds and ten shillings to aid in establishing a ferry during the present year over Liscomb Harbor, opposite the highway at Clay Head, in the county of Guysborough—such ferry to be under the regulations of the sessions, and the amount to be paid on their certificate that the same has been conducted to their satisfaction.

5 ferry, Bear river.

Five pounds to the ferrymen at Bear River.

25 packet, Horton and Parrsboro.

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

25 packet, Bay Verte and Char. Town.

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

375 steamer, Hx. and St. John Nfld.

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

20 ferry Petite Passage, &c.

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

5 ferry Lingan.

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

5 ferry St Anns.

Five pounds to the ferryman at St. Ann's Harbor, in the county of Victoria.

5 ferry Margaree.

Five pounds to the ferryman at Margaree river, in the county of Inverness.

8 ferry Grand Narrows.

Four pounds each to the ferrymen between the Grand Narrows, in the county of Cape Breton.

5 ferry North Bar.

Five pounds to the ferrymen at the North Bar and the town of Sydney, in the county of Cape Breton.

7 10 ferry Great Bras d'Or.

Seven pounds and ten shillings to be granted and paid to the ferryman at the entrance of the Great Bras d'Or, in the county of Victoria.

5 ferry Pugwash.

Five pounds in aid of the ferry across Pugwash harbor.

30 scow Cope Breton.

Thirty pounds to aid the inhabitants of Cape Breton in supporting a suitable boat or scow to run between McMillan's Point, in Cape Breton, and Auld's Cove, in the county of Sydney, such boat or scow to be placed under the regulations of the main road and of the sessions of the county of Inverness.

10 ferry Milford.

Ten pounds to aid in establishing a ferry, during the present year, between Milford and Ship Harbor, in the county of

Guysborough, and to aid in providing suitable boats for the purpose—such ferry to be under the regulations of the sessions, and the amount to be paid on their certificate that the same has been conducted to their satisfaction.

Five pounds each to the two ferrymen at St. Mary's river, Guysborough. £10 ferry St. Mary's.

Seven pounds and ten shillings in aid of the ferry across the entrance of Southern Bay, Ingonish, Victoria. 7 10 ferry Victoria.

Five pounds to the ferryman at the Gut. of Miré River, in Cape Breton county. 5 ferry Mire.

Ten pounds to the ferryman at Little Bras d'Or, Cape Breton. 10 ferry Little Bras d'Or.

Five pounds to the ferryman at Sydney River, Cape Breton. 5 ferry, Sydney River.

Three pounds each to the two ferrymen at Tusket, in the county of Yarmouth. 6 ferry, Tusket.

Five pounds to the ferryman at Pubnico harbor, Yarmouth. 5 ferry, Pubnico.

Eight pounds to the ferryman at the mouth of Ship harbor, Halifax. 8 ferry, Ship Harbor.

Five pounds each to the two ferrymen on each side of the Jordan River, Shelburne county. 10 ferry, Jordan River.

Twenty-five pounds to the commissioners of the poor, in Halifax, to defray the expense of continuing the school in the poor asylum for the present year, for the benefit of orphans and poor children in that establishment. 25 poor asylum school.

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

Eighty pounds, sterling, to the clerk of the crown in the supreme court, in this province, for his services for the past year. 80 stg. clerk crown.

A sum, not to exceed two hundred pounds, to be at the disposal of the Governor, to be appropriated in paying seizing officers in various parts of this province, for more effectually protecting the revenue; provided no such officer shall receive more than fifteen pounds. 200 seizing officers.

Twenty pounds to each of the two chairmen of bills and supply, for their services for the present session. 40 chairmen bills and supply.

Twenty-five pounds to the sergeant-at-arms, in addition to his salary, and also thirteen pounds for his travelling expenses; and ten pounds to John Fitzgerald, messenger to the house of assembly, in addition to his salary, for the present year. 38 sergeant-at-arms. 10 John Fitzgerald.

One hundred pounds, to be at the disposal of the Governor, in aid of the colored population in the Counties of Hants, Queens, Yarmouth, Guysborough, Annapolis, Sydney, Shelburne, Digby, Kings, and Cumberland, to the amount of ten pounds in each County. 100 colored population Hants, &c.

One hundred pounds, to be at the disposal of the governor, to be expended in affording relief to the colored population in the County of Halifax, by purchasing seed or provisions, as circumstances may require. 100 coloured population, Halifax.

£460 stg. clerks provincial secretary's office.

Four hundred and sixty pounds sterling, for the salaries of the Clerks in the provincial secretary's office for the present year, to be appropriated and applied by the provincial secretary.

100 stg. stationery, prov. sec. office.

One hundred pounds sterling, for stationery and other contingencies for the provincial secretary's office for the present year, the expenditure to be accounted for at the next session of the general assembly.

10 ferry, Wallace.

Ten pounds in aid of the ferry across Wallace harbor, in the County of Cumberland.

100 members govt travelling expenses.

One hundred pounds, to be at the disposal of the Governor, to defray the travelling charges of the members of the government non-resident in Halifax, when summoned, during the recess, to attend meetings of council, to be computed at the same rate as is allowed members of the assembly.

200 clerks assembly.

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

900 controllers.

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

10 crier vice admiralty court.

Ten pounds sterling to the judge of the vice admiralty court, for fuel and crier of the court for the present year.

30 keeper Seal Island establishment

Thirty pounds to Edmund Crowell, of Seal Islands, in the County of Yarmouth, for keeping the establishment on the islands to aid vessels in distress.

20 parties on Mud Island, for boat &c.

Twenty pounds to William Goodwin and George W. Smith, residents upon Mud Islands, county of Yarmouth, to enable them to provide and keep efficient boats, and otherwise render assistance to shipwrecked mariners, to be paid on certificate of the sessions that the boats are provided and kept, and the duty performed.

25 packet, Westport and Digby co.

Twenty-five pounds at the disposal of the Governor, to aid in maintaining a packet between Westport and Montegan, in the county of Digby.

20 packet, Digby County.

Twenty pounds in aid of a packet between Weymouth bridge and Sandy Cove, in the county of Digby.

547 15 6d bridge Missequash

Five hundred and forty-seven pounds, fifteen shillings and six pence, New Brunswick currency, at the disposal of the Governor, to be paid to the treasurer of the province of New Brunswick, as the proportion of the expense payable by this province for re-building the bridge over the Missequash river.

24s. Stg. Artillery Company.

Two pounds and four shillings sterling, at the disposal of the Governor, to repay the value of stores issued by the war department to the Halifax volunteer artillery, on the twenty-eighth day of September last.

Twelve pounds and nine shillings sterling, at the disposal of the Governor, to pay for tents supplied from the military store office to the provincial government in June, 1856. £12 9s. sterling Military Store, for Tents.

Thirty-five pounds to Samuel Chipman, Esquire, late financial secretary, to repay the expense incurred in preparing abstracts and trade returns to be laid before this house. 35 S. Chipman Esq.

One hundred pounds to the widow of the late John H. Crosskill, deceased, late a reporter of this house. 100 Mrs. Crosskill.

Five hundred pounds to aid in completing the new road from Bridgewater to Mills Village. 500 new road Bridgewater.

One hundred and seventy-five pounds, at the disposal of the Governor, to be paid upon sufficient proof that a suitable steam boat has been run from Sydney to the Bras d'Or, to Baddeck twice a week during the season, upon condition that the judge on circuit be conveyed in such boat from Sydney to Baddeck and thence to Wycocomagh free of expense. 175 Steamer, Sydney to Bras d'Or.

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

Fifteen pounds to Edward Joyce, deputy sergeant-at-arms to the house of assembly, in addition to his salary for the present session. 15 Ed. Joyce.

Such sum, at the disposal of the Governor, as will provide for the remuneration of a private secretary for the present year, at the rate of two hundred and fifty pounds sterling, per annum. Private Secretary.

One hundred pounds, at the disposal of the Governor, to provide for the reporting and publication of the decisions of the supreme court. £100 reporting Supreme Court decisions.

Forty-three pounds two shillings and one penny, at the disposal of the Governor, to repay that amount advanced by order of the Government in 1855 for inspection of a road in Guysborough and Sydney counties. 43 2s. 1d. re-pay advances inspection road Guysboro' and Sydney.

Fourteen pounds seven shillings and ten pence to James Murdoch, and twelve pounds and four shillings to Patrick Gough, wardens of river fisheries, pursuant to the report of the committee on their petition. 26 11s. 10d. Wardens fisheries.

Fifteen pounds to George Merry, to enable him to keep a half-way house between Liverpool and Nictaux, pursuant to the report of the committee on his petition. 15 Geo. Merry.

Fifteen pounds to John Nelson, to enable him to maintain a half way house between Musquodoboit and St. Mary's, pursuant to the report of the committee on his petition. 15 John Nelson.

Fifteen pounds to Valentine Munro, to enable him to keep a half way house between Liverpool and Annapolis, pursuant to the report of the committee on his petition. 15 Valentine Munro.

Two pounds and ten shillings each to Thomas Pass and William Bowlan, for maintaining seamen wrecked on Cape North. 5 Thomas Pass and Wm Bowlan.

£3 8s. 9d. John Thompson. from the British ship Britannia, and three pounds eight shillings and nine-pence, to John Thomson, for keeping four seamen wrecked from schooner Hope at Cow Bay, near Sydney, C. B., pursuant to the report of the committee on sick immigrants.

2 John Comeford. Two pounds to John Comeford, of Sydney, for expenses of maintaining wrecked seamen, pursuant to the report of the same committee.

1881s 11 St. Peter's Canal. One hundred and ninety-three pounds fourteen shillings and eleven-pence, to the Commissioners of St. Peter's Canal, to be expended according to the directions of the committee on the petition of John McLeod, as contained in their report.

4 Lost Province Notes. Four pounds to Joseph Clarke, to reimburse him for province notes lost, pursuant to the report of the committee on trade and manufactures.

98 C.B. DeWolf. Nine pounds and six shillings to C. B. DeWolf, for duty paid on goods afterwards lost, on producing a certificate from the collector of excise that such duty was paid, pursuant to the report of the committee on the same subject.

76 10s 6d Joseph Dickson. Seventy-six pounds ten shillings and five pence, to Joseph Dickson, clerk of the peace for the county of Colchester, to reimburse him for expenses incurred in keeping James Russell, an insane criminal, pursuant to the report of the committee on the subject of his petition.

429 12s. 4d. Tr. Paupers. Four hundred and twenty-nine pounds, twelve shillings and four pence, to defray the several amounts following, pursuant to the report of the committee on transient paupers.

Overseers of Dartmouth,	£62	2	9
“ Newport, including Doctor's bill,	6	10	0
“ Clements, sundries for Ann Cowley,	10	8	0
“ Weymouth, for Jares Hodge,	12	4	0
“ Horton, for Thomas Jemiman,	10	0	0
“ “ Mrs. Sullivan,	2	10	0
“ Annapolis, Mrs. Connors,	5	14	5
“ “ Mary McDonald,	16	5	5
“ Guysborough, for Lunatic,	16	8	6
“ Barrington, for Mary Flinn,	7	0	0
“ Aylesford, for supporting ——— Tool,	15	0	0
“ Cumberland, Minudie, for Danl. Larkie,	8	0	0
“ Granville, for supporting McDonald and Welsh,	10	0	0
“ Granville, Israel Foster,	9	18	11
“ Liverpool, for Elizabeth Anderson,	40	0	0
“ “ for S. G. Eckstadt,	10	0	0
Overseers of Yarmouth, supporting 5 paupers, including Doctor's bill, £13,	32	0	0
“ Inverness, for Mary McIsaac,	28	8	0
“ Windsor,	13	2	4

“	Picton, district No. 6, for Alexander Chisholm,	7	0	0
“	Maxwelton, for Peter Wallace,	7	0	0
“	1st Section, including £9 to Dr. Johnston,	40	0	0
“	Albion Mines, for supporting John Lawson,	39	0	0
“	Dr. Ruggles, Weymouth,	5	0	0
“	Alexander Buchanan, Horton,	10	0	0
“	Amherst, for Richard Levee,	6	0	0

Twenty pounds to Finlay Cameron, amount of expenses incurred by him for surgical attendance on laborers injured on the railway, pursuant to the report of the committee on the subject of his petition. £20 Finlay Cameron.

Two hundred and thirty-eight pounds sixteen shillings and nine pence, to the commissioners of the poor's asylum, to defray the excess of expenditure in conducting that institution during the past year, pursuant to the report of the committee on that subject. 238 16s. 9d. Poor Asylum.

Two thousand pounds to the commissioners of the poor in Halifax, for the support of transient paupers for the present year. 2,000 Poor in Halifax.

Twenty-five pounds to John Thomas Lane, pursuant to the report of the committee on his petition. 25 John Thomas Lane.

Fifty pounds to the managers of the house of refuge in Halifax, to assist them in carrying out their humane intentions, pursuant to the report of the committee on that subject. 50 House of Refuge.

One hundred pounds to the governors and trustees of the Halifax visiting dispensary, to aid them in carrying on their operations during the present year, pursuant to the report of the committee on that subject. 100 Visiting Dispensary.

One thousand and forty-nine pounds nine shillings and seven pence, to defray the amount still due for public printing, pursuant to the report of the committee on that subject, viz: 1,049s. 7d. Public Printing.

Queen's Printer,	£678	14	6
W. A. Penney, balance,	138	15	11
Richard Nugent,	20	17	10
J. & W. Compton,	28	7	9
James Bowes & Son,	27	17	6
William Gossip,	6	12	3
James P. Ward,	6	15	0
John Boyd,	7	13	0
Thomas Annand,	17	7	4
Richard Huntington,	8	12	6
Alexander Lawson,	6	3	9
English & Blackadar,	18	8	9
James Barnes,	9	13	9
L. J. Evans & Son,	6	10	0
Christian Messenger office,	3	18	9

Liverpool Transcript,	7	2	3
Alpin Grant,	28	14	9
E. M. McDonald,	9	12	6
Wesleyan,	0	10	0
Secretary's Office, sundries,	15	1	6

————— £1049 9s. 7d.

100 grounds of
Nml. School.

One hundred pounds, granted last year, for the importation and keeping an improved breed of pigs at Truro, and undrawn, be at the disposal of the superintendent of education, to purchase and set out fruit and other trees on the grounds of the normal school, pursuant to the report of the committee on agriculture.

100 importing
Pheasants.

One hundred pounds to repay his excellency the Lieutenant Governor for the expense of importing and preserving the breed of pheasants, pursuant to the report of the committee on agriculture.

200 Board Agri-
culture.

Two hundred pounds to the central board of agriculture, pursuant to the report of the committee on agriculture.

900 Agriculture.

Nine hundred pounds at the disposal the central board of agriculture, to be applied at the rate of fifty pounds for each county, in manner prescribed by chapter 96 of the revised statutes, pursuant to the report of the same committee.

2 10 Alexander
Campbell.

Two pounds and ten shillings to Alexander Campbell of Mabou, in addition to five pounds granted in 1854 for fencing, and remaining undrawn, pursuant to the report of the committee on road damages.

10 William R.
Evans.

Ten pounds to William R. Evans, of West River, Pictou, pursuant to the report of the same committee.

47 10s. Jos. N.
B. Kerr.

Forty-seven pounds and ten shillings to Joseph N. B. Kerr, of Wallace, pursuant to the report of the committee on crown lands.

23 11s. 7d. John
McLean.

Twenty-three pounds eleven shillings and seven pence to John McLean, of North Sydney, pursuant to the report of the same committee.

15 Jas. B. Davi-
son

Fifteen pounds to James B. Davison, of Wallace, pursuant to the report of the same committee.

100 works on
emigration.

One hundred pounds, at the disposal of the governor, to purchase two thousand copies of a work on "Nova Scotia a field for Emigration," prepared by Peter S. Hamilton, Esquire, pursuant to the report of the same committee.

180 deaf, dumb,
blind, and in-
sane.

One hundred and thirty pounds to the following persons, pursuant to the report of the committee on the deaf, dumb, blind and insane.

To Donald Ross, Victoria,	£25	0	0
Donald Ross, Blue Mountain,	25	0	0
Thomas Murphy, Antigonishe,	25	0	0
Samuel Musgrove, Sydney,	25	0	0
John Gully,	25	0	0
Susan Kelly,	5	0	0

Three hundred pounds to be paid towards the support of the institution at Halifax for the instruction of the deaf and dumb, pursuant to the report of the committee on that subject. £300 deaf and dumb, Halifax.

Four hundred pounds to be paid to the commissioners for deepening the East River of Pictou, in aid of that undertaking, pursuant to the report of the committee on that subject. 400 deepening east river, Pictou.

The following sums, to be at the disposal of the Governor, to be expended in aid of the several services upon the conditions (unless otherwise herein directed) that no such sums shall be drawn from the Treasury until it shall appear to the satisfaction of the Governor in Council that the parties interested in or applying for aid to any such work have subscribed and expended thereon since the passing of the grant at least a sum not less than twice the amount of the provincial grant, so that the whole expenditure shall be equal to three times the amount of the provincial grant: Breakwaters.

Breakwater at Chute's Cove, Annapolis,	75	0	0
“ Troop's Cove, Annapolis,	55	0	0
“ Port Williams, Annapolis,	100	0	0
“ Murray Mill Brook, Kings,	50	0	0
“ Hall's Harbor, Kings,	100	0	0
“ Canady Creek, Kings,	50	0	0
“ Horton, near mouth of Windsor River, Kings,	25	0	0
“ Safe Harbour, Kings,	50	0	0
“ Comeau's Brook, Digby,	110	0	0
“ Church Point, Digby,	80	0	0
“ Groscoque, Digby,	100	0	0
“ Montegan River, Digby,	110	0	0
“ Trout Cove, Digby,	100	0	0

Two hundred pounds to aid in extending the Arisaig pier upon the same terms as last year. 200 Arisaig pier

Seventy-five pounds in aid of the Givan wharf, King's County, upon condition that one hundred and fifty pounds be subscribed and paid, in which subscription ninety pounds expended last year is to be included, upon a satisfactory account being furnished. 75 Givan's wharf King's County.

Thirty-one pounds to be paid to the commissioners who expended money on the west side of Port Hood harbour, in 1856, upon their furnishing a satisfactory account of the expenditure of ninety-three pounds, which is to include an over-expenditure made by them last year of sixty-two pounds. 31 Port Hood harbor.

Forty-nine pounds to further improve the harbor of Port Hood, agreeably to the report of the committee on navigation securities. 49 ditto.

Two hundred pounds to aid a breakwater in Yarmouth. 200 Breakwater in Yarmouth.

Thirty pounds to aid in clearing out the east and west branches of Bear River, county Digby. 30 clearing river in Digby coun.

- £500 for bell, Cape Forchu. Five hundred pounds to aid in erecting a fog bell on Cape Forchu, at the entrance of Yarmouth harbor.
- 500 do. C. Canso. Five hundred pounds to aid in erecting a fog bell at Cranberry Island, Cape Canso.
- 200 steamboat Co., Digby and Annapolis. Two hundred pounds to the Digby and Annapolis steamboat company, to aid them in their enterprise.
- Buoys, Canso and Arichat. Such sum as will be sufficient to place a spar buoy at Bass Rock, off Cape Canso, and on Cerberus Rock, off Arichat.
- 1,000 light houses. One thousand pounds, in addition to the balance of the unexpended grant of last year, for the erection of light houses, in the following order, after those already provided for shall be completed, viz :—
- A beacon light to be erected at the port of Walton, in the county of Hants, and a beacon light on George's Island, in the harbor of Halifax.
- 200 steamer, Charlottetown and Pictou. Two hundred pounds in aid of steam communication between Charlottetown and Pictou, the boat to be run three times a-week.
- 10 Ferrymen, Canso. Five pounds additional to Malcomb McDonald, ferryman, at McMillan's Point; and five pounds additional to E. Forrestall, ferryman, at Auld's Cove, in the Strait of Canso.
- 10 do. do. Ten pounds to Isaiah and Charles Embree, ferrymen at Ship Harbor, Strait of Canso.
- 2 10 Alexander Ross. Two pounds and ten shillings to Alexander Ross, ferryman, at Little Narrows, between Inverness and Victoria.
- 10 wharves Carriboo island. Ten pounds, to aid in erecting wharves at the ferry at Carriboo Island, Pictou county, agreeably to the report of the committee on navigation securities.
- Gram. school allowance to W. Shipley. The grammar school allowance due William Shipley, shall be paid, pursuant to the report of the committee on education.
- Infant school, Halifax. Fifty pounds to the managers of the infant schools, at Halifax, in support of the institution for the present year, pursuant to the report of the committee on education.
- Hugo Reid map Nova Scotia. Such sum, at the disposal of the Governor, as will be sufficient to enable Hugo Reid to prepare and strike off 6,500 copies of his map in this province, for sale and distribution, pursuant to the report of the same committee.
- 482 16s. 2d Normal school. Four hundred and sixty-two pounds sixteen shillings and two pence, at the disposal of the commissioners of the normal school, to be applied as follows: two hundred pounds for building outhouse and fencing playground; one hundred and thirty seven pounds sixteen shillings and two pence to pay the balance due the commissioners for the expenditure beyond the grant of last session; and one hundred and twenty-five pounds for furnishing the model schools lately erected at Truro, pursuant to the report of the same committee.
- 100 do for prizes. One hundred pounds to the superintendent of education, to be distributed by him in prizes among the most deserving pu-

pils in the normal school, pursuant to the report of the same committee.

Such sum, at the disposal of the Governor, as will be sufficient to defray the expenses of the post office department for the present year; and also to pay the several grants recommended in the report of the committee on the post office, including the post office money order system.

Post office department.

Six hundred and fifteen pounds to the reporter of the debates and proceedings of the house of assembly, upon his completing his contract for the present session, pursuant to the several reports of the committee on that subject.

615 Reporter

Two hundred and ninety-two pounds seven shillings and six pence, to defray the expense of extra messengers and other services, and to pay for fuel and other articles for the house during the present session, pursuant to the report of the committee on contingencies.

292 7s. 6d. Extras.

Nine hundred and sixty-seven pounds and seventeen shillings, to defray the contingent expenses of the legislative council for the present session.

967 17s. expenses Legislative Council.

Two hundred and eighty-eight pounds seven shillings and six pence to A. & W. Mackinlay, in full of their account for stationery and binding for the house of assembly during the past year.

288 7s. 6d. A. & W. MacKinlay.

Seventeen pounds one shilling and three pence to pay the expense incurred in clearing and arranging the public documents of the assembly, and nine pounds additional for the expense of fuel in the assembly rooms while undergoing repairs.

17 1s. 3d. arranging public documents, &c.

9 fuel.

The allowance now made to collegiate and academical institutions, including King's College, Windsor, is continued under existing regulations for the present year.

Collegiate Institutions, &c.

The board of revenue shall allow a drawback upon wines imported for and consumed by the commissioned officers of the army, composing the regimental messes of the garrison at Halifax, as shall relinquish the duties upon all such wines, upon proof being made to the satisfaction of the board that the wines whereon drawback or relinquishment of duties is claimed were imported for or consumed by such officers, provided the whole amount do not exceed three hundred pounds in the year.

Drawback on wines.

Such sum, at the disposal of the Governor, as will pay the late commissioners for issuing treasury notes the balance of the commission of one-half per cent. due them on the amount of treasury notes issued by them since their appointment in 1846.

Commission on treasury notes.

Forty-four pounds ten shillings and eight pence to the overseers of the poor for the township of Clare, to enable them to pay the following amounts for the support of destitute Indians, viz., to Benjamin Comeau, £3 1s. 3d.; Augustine Heriot,

44 10s. 8d. to the poor in Clare.

£13 6s. 11d.; Peter Melanson, £15 5s. 6d.; Hypolite Amaro, £12 17s.

£6 9s 4d. Poor,
Aylesford.

Six pounds nine shillings and fourpence to the overseers of the poor for the township of Aylesford, to pay the following amount for the support of destitute Indians, viz., John Jaques, £6 9 4.

1 14s 2d. Jacob
Stevens.

One pound fourteen shillings and twopence to Jacob Stevens, Lower Stewiacke, money expended by him in support of a poor Indian during the present year.

1900 peniten-
tiary.

One thousand and nine hundred pounds to defray the expenses of the provincial penitentiary for the present year, pursuant to the report of the committee on that subject.

Board of works.

Such sum, at the disposal of the Governor, as may be necessary to defray the balance due to the board of works, pursuant to the report of the committee on public accounts.

400 steam ferry,
McNair's cove.

Four hundred pounds, per annum, for four years, in aid of a steamboat ferry between McNair's Cove and Ship Harbor, in the Strait of Canso, upon such conditions, and subject to such regulations as the governor in council may prescribe and direct.

10 ferryman,
Maitland.

Ten pounds to the ferryman between Maitland and Black Rock, to aid him in procuring a scow, provided he raises a like amount for the same purpose.

20 Indians, Pic-
tou.

Twenty pounds, at the disposal of the governor, to aid in relieving the destitute Indians in Pictou county.

200 Welsford
and Parker mo-
nument.

Two hundreds pounds in aid of a monument to be erected by private subscription, to the memory of the late Major Welsford and Capt. Parker, who gallantly fell in the assault on Sebastopol, and to whom, as Nova Scotians, this tribute is due.

200 cloth manu-
factory, Antigo-
nishe.

Two hundred pounds to Messrs. Trotter and Murphy, to aid them in the re-erection of their cloth manufactory at Antigonishe, agreeably to the prayer of their petition, in which their great loss by fire is set forth.

10 Stewart
Campbell.

Ten pounds to Stewart Campbell, Esq., speaker of the assembly, for his report to the late government on the case of the Snows at Guysborough.

Extra payments
to messengers.

Ten pounds to Evan McPhee, and five pounds and ten shillings each to Charles Roan, Ronald McMillan, and Thomas Shea, messengers to the house of assembly, for their extra services in consequence of the length of the present session.

Deaf and dumb.

Twenty-four pounds and ten shillings to Susan Kelly, and twenty-four pounds and ten shillings to John Barnaby, to aid them in supporting their deaf and dumb children at institutions in the United States.

20 buoy, Liver-
pool harbor.

Twenty pounds, at the disposal of the Governor, to aid in placing a buoy over a sunken rock, in the harbor of Liverpool.

75 Otto Weeks.

Seventy-five pounds additional to Otto Weeks, jr., for the reporting service.

Five thousand four hundred and thirteen pounds thirteen shillings and sixpence, at the disposal of the Governor, to pay the following advances made from the provincial treasury, during the year 1856, viz. :—

Rev. A. McSween, for Indians, Pictou,	£10	0	0
Provincial Secretary, for Indians, Queen's County,	18	5	10
“ “ for passage of 11 wrecked seamen to Quebec, and board at Halifax,	59	0	10
“ “ to pay N. Fowler, for Alderney Cattle,	505	18	4
“ “ Expense of keeping do. previous to sale,	38	14	9
S. Cunard, for seed potatoes imported,	23	17	6
Provincial Secretary—Expense of conveying prisoners accused of murder, from Newfoundland to Sydney,	23	10	6
R. Hugonin, for purchase of sheep,	400	0	0
R. McLearn—Passage and board of 4 wrecked seamen from Fortune Bay to Halifax,	10	17	6
J. R. Forman—On account of expenses incurred in examining harbors of Ingonish, Aspy Bay, Cheticamp, Mabou, and Port Hood,	72	16	3
John McMillen, for Barnaby Mill Cove breakwater,	100	0	0
Commissioners for the purchase of Cornwallis bridge, as per act passed 1856,	400	0	0
Attorney General—Expenses of witnesses in crown suit, at Shelburne,	19	12	0
Rev. E. C. Crossman—Expenses incurred in attendance upon executive council, on the subject of immigration,	8	0	0
Inland Navigation Company—On account of loan agreed to be made by government,	3500	0	0
John Northup—Expenses to St. John's, Newfoundland, to purchase stock,	28	0	0
Gammel & Tupper, for mowing machine sent to Annapolis,	32	10	0
Joseph Milward and James Wilson—Reward for apprehending George Izatt,	50	0	0
Richard Nugent—Balance of account for publishing Dawson's work on agriculture,	112	10	0

One hundred pounds seventeen shillings and sixpence to Henry G. Hill, balance due him for drawing plans, etc., for new court house in Halifax. This sum, together with one hundred pounds already paid Mr. Hill, to be deducted from the monies payable from the provincial funds towards the erection of the court house.

£5,413 12s. 6d.
various appropriations.

2. The owners or agents of all steamboats and packet-boats, and all ferrymen, or owners of ferry boats shall, before

100 17s. 6d. to
Henry G. Hill.

Obligations of
ferryman, &c.

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

Casualty vote.

3. If any of the bridges, or main post roads, of this province, shall be unexpectedly destroyed or obstructed by any accident or obstacle, the Governor may order a commissioner to rebuild or repair such bridge, or to remove such obstructions, and may draw warrants on the treasury for the amount expended, in favor of such commissioner; but the whole amount expended during the year shall not exceed one thousand pounds; and the respective sums so drawn shall be charged at the next session of the assembly, as against the several counties in which the same shall have been expended.

Roads & Bridges.

4. The following sums granted for the service of the roads and bridges in the counties hereinafter mentioned in previous years, and remaining undrawn, shall be applied, pursuant to resolutions of the house of assembly, passed during the present session, and agreed to by the legislative council:—

County of Victoria,	£27	10	0
“ Cape Breton,	39	16	6
“ Shelburne,	55	1	5
“ Cumberland,	61	15	9
“ Hants,	87	1	9
“ Annapolis,	73	9	10
“ Halifax,	17	7	1
“ Guysborough,	9	15	5
“ Yarmouth,	40	19	9
“ Lunenburg,	46	11	4
“ Colchester,	17	9	4
“ Richmond,	74	12	7
“ Sydney,	13	12	0

School in Argyle.

5. The commissioners for the Argyle school district may set off the undrawn grammar school allowance for that district,

towards the furnishing the school-house there, the balance to be applied to the common school fund for that district.

6. Twenty-five pounds, granted for the grammar school in the eastern district of Shelburne, and undrawn, shall be appropriated to the common school fund for that district. £25 school in Shelburne.

7. Ten pounds granted in 1856, for the purchase of seed for the colored population in the county of Shelburne, and undrawn, shall be appropriated in aid of the colored schools at Port La Tour, and Birch River, in such county. 10 col'd schools Shelburne.

8. Twenty-five pounds, allowed for the grammar schools in Victoria, in 1856, and undrawn, shall be added to the common school fund of that county for this year. 25 schools in Victoria.

9. Five pounds of the ten pounds granted in 1856 to purchase seed for the colored population in King's county, and undrawn, shall be applied in aid of Freedom school and school-house at Pine Grove, in Cornwallis. School in Cornwallis.

10. Twenty-five pounds, granted in aid of Crewitt's wharf, St. Mary's Bay, Digby county, in 1853, and undrawn, shall be applied to aid in building a breakwater at the sea wall in said county, upon the usual terms respecting breakwaters. 25 breakwater, Digby.

11. So much of the grant of seventy-five pounds for exploring a road from Dalhousie road to Queen's county as has not been required for that service, may be appropriated to explore another road lying further east, to run from Dalhousie road to Queen's county. Exploring road in Dalhousie

12. The sum of thirty-two thousand pounds, granted for the ordinary road and bridge service for the present year, and a further sum of ten thousand pounds for the great road service for the same year, shall be applied as follows:— 42,000 ordinary road and bridge service, & great roads.

Ordinary Service. Main Post Roads.

County of Halifax,	£2355	£1213
Pictou,	2304	640
Inverness,	2112	560
Hants,	1920	933
Lunenburg,	1920	530
Colchester,	1869	773
Cumberland,	1869	640
Cape Breton,	1820	626
Kings,	1728	476
Annapolis,	1664	476
Yarmouth,	1561	400
Shelburne,	1561	400
Digby,	1561	476
Sydney,	1561	400
Richmond,	1561	360
Victoria,	1561	380
Guysborough,	1561	400
Queen's,	1512	317

Pay and travelling fees, legislative council.

One pound per day to each member of the legislative council for his actual attendance in parliament, with the same travelling fees as are received by members of the house of assembly.

Members' pay, and travelling fees H. A.

One pound per day to each member of the house of assembly, for the present session, to be paid on the certificate of the speaker ; also, the travelling charges as heretofore.

LOCAL ACTS.



CHAPTER 30.

An Act to alter and amend the Act concerning the City of Halifax.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. City Council may assess for £8000 and by consent of Governor in council £2000 additional.
2. Objects to be provided for by assessment.
3. Poor asylum.
Ward assessors to assist city assessors. Forfeit in case of neglect.
5. In case of incapacity of ward assessors.
6. City assessor election. Qualification. Penalty for neglect.
7. In case of a vacancy.
8. To be sworn.
9. Compensation.
10. Duties of assessor.
11. Assessment. How rated.
12. Return to be made by owners of real estate
13. Personal estate to include.
14. Power of assessors to enter building.
15. Partnership. Property.
16. Valuation of real estate:
17. Exemptions.
18. Personal estate to amount to £50.

SECTION

19. Owner of stock liable to taxation on its capital. Not to be assessed for it.
20. Estates of deceased persons, &c., how rated.
21. Joint Stock Companies. How rated.
22. Valuation. Books.
23. Service of notice. Forms, &c.
24. Time allowed for making statement. Form, &c. In case of absence, &c. Further time allowed. Amount, as vested on date of notice to be stated.
25. Form of statement, &c., in the case of joint stock companies.
26. Affidavits. Before whom made.—When delivered.
27. Sworn statement to be adopted.
28. Return of the books of valuation.
29. Book of assessment.
30. Notice of assessment. Form, &c.
31. Warrant. When to issue. Form of, &c.
32. May be sued for.
33. Proceedings against absent persons, &c.
34. Acts repealed.

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

OF ASSESSMENTS IN THE CITY OF HALIFAX.

1. The City Council shall have power to assess on the inhabitants and on the property within the city, annually, such sum of money, not exceeding eight thousand pounds as may be necessary to defray the expenses which they are by law authorized to incur on behalf of the city, and such amount may be increased in any year by permission of the Governor in council to the extent of £2,000 additional, provided such increase be requested by a vote in which at least twelve members of the city council concur.

City council may assess for £8000, and by consent of Governor in council 2000 additional.

2. The objects which may be provided for by assessment include the salaries and compensations legally granted to the officers and other persons employed in the business of the city, expenses of police, of lighting the streets, of a night watch, of a supply of water, expenses of fire department, maintenance of the bridewell, repairs of city property, the making, repair, and improvements of the streets, and of sewers and drains,

Objects to be provided for by assessment.

bridges and roads—and all other expenses required in the due execution of the different powers and trusts vested by law in the city corporation, its council or officers.

Poor asylum.

3. On request of the commissioners of the poor asylum for Halifax, specifying the sum they deem necessary to be paid by the city for the support of the poor in the city in the poor's asylum for city council shall be authorized to include in the foregoing general assessment the sum so specified.

Ward assessors to assist city assessors.

4. The ward assessors annually elected by the several wards of the city shall, when required by the city assessor, assist him within their respective wards to make a fair and impartial assessment, and in case any ward assessor so selected shall neglect or refuse to perform any of the duties of his office, he shall forfeit to the city for every offence a penalty of ten pounds.

Forfeit in case of neglect.

5. If any ward assessor shall be absent or shall become from illness incapacitated for the performance of his duties, the city council shall be at liberty to appoint in his place some duly qualified citizen of the ward who shall be liable to the same penalty of ten pounds for the neglect or refusal to perform any of the duties of his office.

In case of incapacity of ward assessor.

City assessor election. Qualification. Penalty for neglect.

6. The city council shall annually elect by open vote, one suitable person not being a member of the city council, to be city assessor, and no person shall be considered ineligible to such office on account of his having already served therein; and any city assessor who shall be guilty of neglect of duty shall pay a fine of not less than forty shillings nor more than ten pounds for every such offence.

In case of a vacancy.

7. Whenever a vacancy shall occur in the office of any city assessor who has not served out his full time, such vacancy may be supplied by the city council, and the person elected to fill such extraordinary vacancy shall occupy the office and discharge the several duties thereof for the term then unexpired of the person whose place he shall supply.

To be sworn.

8. Every city assessor on acceptance of office shall make oath in writing before the mayor or some alderman to perform the duties of his office and to make a fair and impartial assessment on the city.

Compensation.

9. There shall be payable out of the city funds to the city assessor so long as he shall remain in office such annual salary as the city council may appoint and to each ward assessor such compensation as the city council may from time to time direct.

Duties of assessor.

10. The city assessor, associating himself with the ward assessors, for every respective ward in rotation, shall, upon the order of the city council, proceed forthwith to make an assessment upon the respective wards for all sums of moneys legally authorised and directed to be assessed upon the city for city

purposes, and rates for poor rates, and for the proportion of county rates chargeable on the city and its inhabitants.

11. The assessment shall be rated on the occupants of real estate, being yearly tenants, and in all other cases on the owners of property by an equal pound rate upon the value of the real and personal estate within the city, whether such real or personal estate shall be possessed, occupied or owned by individuals or by any joint stock company or corporation, according to the best knowledge and discretion of the city and ward assessors, subject to the exemptions hereinafter specified.

Assessment,
how rated.

12. The assessors or any of them may require of the owners of any real estate in the city to give a written statement, shewing the tenancy thereof, name of tenant or tenants, and amount of rent, and whether yearly or otherwise, within five days after request, under penalty of forty shillings for failure to make such return.

Return to be
made by owners
of real estate.

13. Under the term "personal estate" shall be included all household furniture, monies, goods, chattels, wares and merchandize, kept in public or private premises, or in the Queen's or other public warehouses; all ships and vessels, or shares in ships and vessels, owned by persons residing within the city, (whether such ships or vessels be at home or abroad at the time of the assessment:) all city certificates, also all public stocks, and stocks in public or private banking companies, water, gas, fire, marine or life insurance companies, or associations or other joint stock companies, or corporations, whether public or private, doing business within the city; and all monies belonging to the inhabitants of the city invested in public or private securities, either within this province or elsewhere; and also all incomes arising from any profession, office, trade or employment within the city.

Personal estate
to include.

14. The city assessor and ward assessors, and every of them, shall have full power to enter all buildings, public and private, including the Queen's and public warehouses, in reasonable and suitable hours of daylight, to inspect and value goods kept therein; and shall have and be allowed full and free access to all books, writings and lists, &c., kept in the Queen's and public warehouses, or in any public offices, in which such goods and the names of the owners or holders are entered and specified, in order to fulfil their duties in assessing the same.

Power of assess-
ors to enter
buildings.

15. Partners in business shall be assessed under the name of their firm, for partnership property, in the same way as individuals; notice to either partner or to the agent of the firm shall be valid.

Partnership
property.

16. The assessors shall value real estate at tenfold the amount of rent it produces, or is worth.

Valuation of
real estate.

17. All property, real or personal, belonging to her Majesty—to the province—the county or city; all personal property of

Exemptions.

military persons residing in government buildings or barracks, or of officers or men of the navy residing in government buildings; every building erected for the use of a college, incorporated academy, or other seminary of learning; every building for public worship, temperance hall, school house, court house and goal, and the several lots whereon such buildings are situated, and the furniture belonging to each of them; every poor house, alms house, house of industry, house of refuge, and all the real and personal estate belonging to or connected with the same; the real and personal estate of every public library; and all stocks owned by the city or province, or by literary or charitable institutions, and all provincial debentures, shall be wholly exempt from assessment. This section is not to exempt yearly and other tenants holding under lease from the city.

Personal estates to amount to £50.

Owner of stock liable to taxation on its capital not to be assessed for it.

Estates of deceased persons, how rated.

Joint stock companies, how rated.

18. No person shall be assessed for his personal estate, unless its value amounts to fifty pounds.

19. The owner or holder of stock in any incorporated or joint stock company, liable to taxation on its capital, shall not be assessed as an individual for such stock.

20. The estates of deceased persons under control of their executors, administrators or trustees—the separate property of married women, and the property of minors, and other property under the control of agents and trustees, shall be rated in the name of the principal party or parties, ostensibly exercising control over them; but under such description as will keep the rating separate and distinct from any assessment on such parties, in respect of property held in their own right.

21. Every joint stock company, doing business in the city, shall be rated as if holding one hundred pounds of property, for every six pounds annual net income or profit derived from its business done within the city. The president, secretary, manager, cashier, treasurer or agent, shall annually, on or before the first day of March, make an affidavit in writing before the mayor, an alderman, or a justice of the peace for the county of Halifax, resident in the city, containing a precise statement of the actual net income of the company or corporation, derived from their business done within the city, during the year ending on the thirty-first day of December, preceding. The party making this affidavit shall file it immediately with the city clerk, and the assessors shall fix the rate accordingly; on default of this statement being duly filed, the assessors may rate the company's income according to the best information they can otherwise obtain, and the company or corporation shall, in addition to the rate, pay to the city a penalty of fifty pounds for the neglect or omission of their officers or agents, in not furnishing the statement of their profits by affidavit.

22. The assessor, before proceeding to the assessment of the

Valuation books.

respective wards, shall be provided by the city with a sufficient number of blanks, to form valuation books, ruled and headed throughout in the following form :—

Names.	Value of real estate as tenant or landlord.	Value of personal property.	Total amount on which assessment is to be levied.

The assessor shall enter the name of each person, company, or corporation, to be assessed separately in order in the first or left hand column, the value of real estate stated in currency in the next column, of personal property in the third column, and the sum total of both in the last column, opposite each name.

23. As soon as the whole amount of real and personal property on which any person, company, or corporation, is to be assessed is determined, the city assessor shall serve, or cause to be served, a notice of such valuation upon the person assessed, or his agent, or on the company or corporation, their officer, clerk, or agent. This notice shall be in the following form, in print or ink :

Service of notice. Form, ac.

Names.	Value of real estate as tenant or owner.	Value of personal property.	Total amount on which assessment is to be levied.

I hereby give you notice that the assessors, to the best of their judgment, have made the above valuation of your real and personal estate, on which the assessment for the current year is to be levied. If you wish to object thereto, you are hereby notified to furnish me at my office in the city court house, within fourteen days from this date, with a written statement under oath, according to the form herewith served upon you.

city assessor.

To Mr.

Dated at Halifax, day of 18

These notices are to bear date on the days on which they are respectively served. Date.

24. After service of the notice, fourteen days shall be allowed to the parties to be rated, or their agents, to furnish the Time allowed for making statement.

city assessor with a written statement under oath, of their real and personal estate, in the following form :

Form, etc.

Statement of real and personal property of *liable to assessment :*

Real estate, value	-	-	-	-	-	£
Personal property, viz :						
Household furniture, monies, goods, chattels,						
wares and merchandize, ships or vessels, or						
shares thereof, at home or abroad,						
City stock certificates,						
Invested monies,						
Income,						
Total amount,						£

City of Halifax, S.S.

of the city of Halifax, maketh oath and saith, that the above statement is in all respects just and true, and that the sum of pounds is the full value, to the best of deponent's judgment and belief, of the real and personal estate for which the said was liable to be taxed on the day of the date of the city assessor's notice served on him in the present year.

Sworn to this day of before me,

In case of absence further time allowed.

When such statement cannot be made within fourteen days, from the absence or sickness of the party rated, upon oath, made of the fact, a further time may be allowed therefor by the city council ; and every person to be assessed shall, in stating his real and personal estate liable to assessment, give the amount of such real and personal property, as it existed on the day the notice served on him, her or them, by the city assessors, bears date.

Amount as existed on date of notice to be stated.

Form of statement in the case of joint stock companies.

25. The form of the statement and affidavit in the cases of all public and private banks, water and gas companies, insurance companies and agencies, marine, life, or fire, and all other joint stock companies and bodies corporate, shall be as follows :

Statement of the real and personal property of *doing business within the city of Halifax, liable to assessment :*

Real estate, value,	-	-	-	-	-	£
Personal estate, viz :						
Furniture of office, goods and chattels, city						
stock certificates,						
Nett profits or income derived from the business done within the city during the year ending 31st December last,						

Halifax City, S.S.

of the city of Halifax, maketh oath and saith, that the above statement is in all respects just and

true, and that to the best of this deponent's information and belief, the sum of _____ pounds is the full value of the real and personal estate of the said company liable to taxation, (exclusive of the net profits or income derived from the business done within the city during the year ending 31st December last); and that such net profits or income as deponent verily believes are truly set forth above.

Sworn to this _____ day of _____ A. D. 18 _____ before me,

26. These statements may be sworn to before the mayor, or before any one of the aldermen, or any justice of the peace for Halifax county, residing in the city; and must be delivered to the city assessor or be left for him at any time, on a week day, between the hours of ten o'clock, a.m. and four o'clock, p.m., at the office or place mentioned in the notices.

Affidavits, before whom made, when delivered.

27. Whenever a person, company, or corporation to be assessed, shall deliver a sworn statement, agreeable to this law, the assessors shall accept and adopt the valuation sworn to.

Sworn statement to be adopted.

28. The city assessor shall complete the valuation annually, within sixty days from the date of the order of the city council to commence the valuation; and having duly delivered the notices of valuation above directed, and the fourteen days allowed for the personal affidavits having expired,—shall then make return of the books of valuation to the office of the city clerk, one for each ward, clearly and correctly made up in writing, and signed by him and by the ward assessors, acting for the ward, or by any two of them.

Return of the books of valuation.

29. The valuation books, having been first seen and approved of by the city council, shall be taken back by the city assessor, who shall then proceed without delay to make up one general book of assessment for the city, in which there shall be distinctly shown the amount of the rate upon each individual or company, in such form as the city council may direct; and the assessment book being so made up and signed by the city assessor; shall be returned to the office of the city clerk.

Book of assessment.

30. As soon as the assessment book shall be accepted and approved of by the city council, it shall be deposited with the city treasurer, who shall cause each person or company rated or their agents, to be served with a notice, in the following form:—

Notice of assessment. Form, etc.

Halifax,

18—.

You are hereby notified that you are rated and assessed for the current year, 18 _____, to pay the sum of _____ pounds, _____ shillings, and _____ pence, for city, county and poor rates. Unless the amount be paid within thirty days, ten per cent. will be added thereto, besides all charges and costs of collection.

city treasurer.

To

Warrant, when
to issue.

31. If any person or company, rated and assessed, shall not pay the amount within thirty days after service of notice, the city treasurer may issue a warrant of distress to collect it, in the following form :—

City of Halifax.

To the city constables, or any of them.

Whereas _____ is indebted to the city of Halifax in the sum of _____ for rates for the year 18____, and has omitted to pay the same after full notice so to do, you shall forthwith distrain the goods and chattels of the said _____, for the said sum, and ten per cent. additional; and if within seven days after distress made, the amount of the rate, with ten per cent. and any necessary charges be not paid you, you shall sell the goods and chattels so distrained upon to satisfy the same.

Halifax, _____ 18 _____

_____ city treasurer.

In case of any dispute, the mayor and any alderman may tax and limit the expenses to be allowed in a summary manner.

May be sued for.

32. If the money assessed be not collected and paid over to the city treasurer under the warrant of distress, he may sue for the amount inclusive of the ten per cent. or for so much as is not collected, as in case of debt. The action to be in the name of the city. The treasurer's certificate in writing shall be presumptive evidence of the rate being due and unpaid, and shall be sufficient to entitle the city to a judgment, without further proof, unless a good and just defence can be made thereto.

proceedings
against absent
persons.

33. Any person absent from the province, and any company whose effects are not to be found, or are insufficient to levy upon by way of distress, may be proceeded against for rates due to the city, according to the provisions of the absent debtor laws.

Acts repealed.

34. The second chapter of an act, entitled, "An act concerning the city of Halifax," passed on the thirty-first day of March, 1851; and also an act passed on the thirty-first day of March, 1854, c. 47, entitled, "An act respecting assessments in the city of Halifax," are hereby respectively repealed.

CHAPTER 31.

An Act to alter the time of holding the Sessions for the County of Guysborough.

(Passed the 31st day of March, A. D. 1857.)

SECTION

1. Guysborough sessions, meetings of Attendance of Grand Jury.
2. St. Mary's, sessions, meeting of Attendance of Grand Jury.

SECTION

3. Part sec., cap. 44 revised statutes, repealed.

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

1. The sessions shall hereafter meet at Guysborough on the third Tuesday of January instead of the first Tuesday of January; and the grand jury shall attend such sessions on the third Tuesday of January instead of the first Tuesday of January.

Guysborough sessions, meeting of.
Attendance of grand jury.

2. The sessions shall hereafter meet at St. Mary's on the first Tuesday of October, instead of the first Tuesday of July: and the grand jury shall attend such sessions on the first Tuesday of October instead of the first Tuesday of July.

St. Mary's sessions, meeting of.
Attendance of grand jury.

3. So much of the second section of chapter forty four of the revised statutes as is inconsistent with this act is repealed.

Part sec. 2, cap. 44, revised statutes, repealed.

CHAPTER 32.

An Act to amend an Act, entitled, "An Act for the repair and maintenance of Streets in the city of Halifax."

(Passed the 13th day of April, A. D. 1857.)

SECTION.

1. Citizens entitled to vote on paying road tax.
2. 18 sec. of act hereby amended repealed.
3. Enginemen and axemen entitled to vote.

SECTION.

4. Return of horses, &c., to be made. Penalty.
5. Proceedings to collect road tax, &c.
6. Notices—where left.

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

1. All male citizens over twenty-one years of age, resident in the city of Halifax, subjects of the crown, who shall not have been rated for the general assessment of the city, and thereby entitled to vote as rate payers, but shall have paid road tax of five shillings, or above that sum, in the city for the year preceding any city election, shall, on producing the receipt for such road tax, be entitled to vote in the wards in which they respectively reside at all elections of mayor, aldermen, or other city officers, in the same manner and subject to the same rules as if they were rate payers.

Citizens entitled to vote on paying road tax

2. The eighteenth section of the act, of which this act is an amendment, is hereby repealed.

18 sec. of act hereby amended, repealed.

Enginemen and axemen entitled to vote.

3. All enginemen and axemen, acting or retired, who are exempt from the road tax by the eleventh section of said act hereby amended, if not assessed as liable to city rates, shall have the same privilege of voting at city elections as is hereby given to the payers of road tax, on producing at the election a written certificate from the captain and secretary of the engine or axe companies, countersigned by the mayor, of their being members of the engine or axe companies so entitled.

Return of horses, &c, to be made.

4. Every one within the city who has horses, mares, or geldings, in his possession, or on his premises, shall annually send in to the clerk of streets on his written request a written return of all horses, mares, and geldings liable to road tax, in his possession, or kept on his premises, specifying each and every animal and its ownership, and whether saddle, carriage, cart, or pleasure horse, or how otherwise used, within ten days after receiving the request, under penalty of not less than twenty shillings, and not more than five pounds, to be recovered in name of the city with costs for any omission.

Penalty.

Proceedings to collect road tax, &c.

5. Whenever any road tax is unpaid and due, the city treasurer may levy the same by distress upon the goods and chattels of any defaulter or defaulters, in the same mode as is or shall be provided for collection of city rates, but if not collected under distress the same may be sued for as a debt in the name of the city.

Notices—where left

6. The notices under the thirteenth section of the act hereby amended may be left at the store, shop, or usual place of business of any citizen, or at his house or lodging.

CHAPTER 33.

An Act to amend chapter forty-four of the Acts of 1856, entitled, "An Act for the repair and maintenance of Streets in the city of Halifax."

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Volunteer artillery to be exempt from road tax, but may vote.

SECTION.

2. Extent of exemption.

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

Volunteer artillery to be exempt from road tax, but may vote.

1. The Militia Volunteer Artillery Company, in the city of Halifax, shall be exempt from labor on the highways, or any personal poll tax in respect thereof, and the members of such company if not assessed as liable to city rate, shall have the same privilege of voting at city elections as is given to payers of road tax, on producing at the election a written certificate from the commanding officer of the said volunteer company, of their being efficient members of such company, and provided with the necessary uniform, accoutrements, and equipments.

2. Such exemptions shall not extend to more than eighty men in such volunteer artillery company, nor to the horses, cattle, or teams of any members thereof.

Extent of exemption.

CHAPTER 34.

An Act to amend the Act respecting Fire Engines at Dartmouth.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Sum to be assessed.
2. Firewards may borrow the amount.

SECTION.

3. Sec. 3 act amended, repealed.

Whereas the act fourteenth Victoria, chapter twenty-eight, entitled, "An act respecting fire engines at Dartmouth," empowered the grand jury of Halifax to present to the sessions to confirm a sum not to exceed two hundred pounds, to be assessed for the purpose of providing and repairing fire engines at Dartmouth. And whereas the inhabitants of the town of Dartmouth, at a meeting held on Monday, the ninth day of March, in the year of our Lord one thousand eight hundred and fifty-seven, voted a sum of two hundred and sixty-five pounds, to be assessed for the purpose of providing fire engines and apparatus for the use of the town.

Preamble.

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

1. The grand jury may present and the sessions may confirm such sum of two hundred and sixty-five pounds, to be assessed within the limits mentioned in such act, and the sum presented and confirmed shall be assessed in not less than five nor more than six instalments, one in each year, until the whole shall be assessed and collected.

Sum to be assessed.

2. The fire wards or their successors may borrow the sum so presented and confirmed, payable as the same shall be assessed and collected, and the interest on such loan shall be added to the amount so presented and confirmed and collected therewith, and the firewards for the time being shall apply the same to the discharge of the amount so borrowed with interest.

Firewards may borrow the amount.

3. Section third of the act hereby amended is repealed.

Sec. 3, act amended, repealed.

CHAPTER 35.

An Act to limit the erection of Wooden Buildings within the City of Halifax.

(Passed the 13th day of April, A. D. 1857.)

SECTION.

1. Restrictions under which wooden buildings to be erected.
2. Height from street.
3. Form of roof—how covered.
4. Width of roof, scuttle, &c.
5. Buildings requiring one brick end.
6. Buildings requiring both ends brick.
7. Rows, &c., to have party walls.
8. Windows, &c., in brick end.
9. Portions of the city in which the act is to be enforced.

SECTION.

10. Penalty.
11. Buildings not conformable to act deemed a public nuisance.
12. Proceedings against offenders under act.
13. Prosecutions.
14. Buildings contracted for excepted.
15. Buildings 60 feet east of Water street exempted.

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

1. No wooden building to be erected within the city of Halifax, except under the following restrictions, viz.: the walls not to exceed twenty six feet in height, measuring from the level of the street to the eaves of the roof, such twenty six feet being the extreme height of the post and the sill and plate added together, including therein any foundation wall above the level of the street, the level of the street to be defined by the superintendent of streets.

2. The whole height of the building from the street level to the highest part of the roof is not to exceed thirty nine feet.

3. Every wooden building whereof the post or wall shall be sixteen feet high or upwards above the street level, shall have a portion of the roof flat or crowned with scuttle therein. The flat portion shall be covered with copper, lead, zinc, tin, metal or other non-combustible matter.

4. The flat portion of the roof shall be at least six feet in width throughout, and it shall extend in length over the whole building. The scuttle shall be placed in the flat part of the roof, and its opening shall not be less than thirty inches square.

5. Every wooden building of sixteen feet post or upwards shall have at least one brick or stone end wall of twelve inches at least of thickness throughout and extending over the whole end or side of the building.

6. Every such wooden building of sixteen feet post or upwards having a front of upwards of forty feet upon or facing the street, shall have a brick or stone wall of at least twelve inches in thickness throughout at each end of such building, protecting the whole surface of the building at each end.

Restrictions under which wooden buildings to be erected.

Height from street.

Form of roof—how covered.

Width of roof, scuttle, &c.

Buildings requiring one brick end.

Buildings requiring both ends brick.

7. Every row, terrace, store, or other continued line of wooden buildings over and above the end walls before mentioned, shall have a party wall or walls of brick or stone of not less than twelve inches in thickness, dividing the entire length thereof into portions not exceeding fifty feet each in length, which party wall or walls, shall be continued from the foundation wall entirely to divide the building and to rise to or cover the roof thereof.

Rows, &c., to have party walls

8. No door, window or other opening shall be permitted in any such end or party wall of brick or stone, unless provided with sufficient fire proof iron doors or shutters to the satisfaction of the board of firewards.

Windows, &c. in brick ends.

9. The provisions of this law shall for the present be enforced only in the portion of the city of Halifax contained within the following boundaries, viz. :—To embrace under the Act that part of the city bounded thus, beginning at the bridge over Fresh Water river—thence to run in a westerly direction by the road until it meets the angle of the Tower road, opposite the house formerly Colonel Bazalgette's—thence to run northerly by the new road so called to Pyke's Bridge—thence further northerly by the eastern bound of the common until it meets the north east angle of the common—thence to run westerly by the road or north edge of said common to the opening of the Kempt Road—thence along said Kempt road northerly to the crossing of roads at King's corner, so called—thence to run easterly along the road and street called North street to the harbor of Halifax—and thence southerly by the wharves, slips and shores of the harbor to the place of beginning at Fresh Water bridge aforesaid.

Portions of the city in which the act is to be enforced.

10. Any person or persons who shall erect any wooden building or buildings partly of wood in the city of Halifax, which building shall not be in every respect conformable to the directions of this Act, shall be subject to pay a penalty of not less than twenty five pounds, and not exceeding one hundred pounds; and after such penalty shall be imposed, unless such building shall be taken down or rendered conformable to the requirements of this law, the party owning the same shall be subject to a further penalty of twenty-five pounds for each and every year such building shall be and remain unreformed and not made conformable with the terms and directions of this law, reckoning such year firstly from the earliest period of its erection.

Penalty.

11. Any building which shall be erected contrary to this act while it continues in any respect unconformable with the restrictions and directions of this law, shall be and be deemed a public nuisance.

Buildings not conformable to act deemed public nuisance.

12. The builders, owners or possessors of any such building, erected in contravention of this act, in said city of Halifax, or any of them may be indicted at the instance of the

Proceedings against offenders under act.

city council of Halifax, and, if the jury shall find a verdict in favor of the prosecution, the court may issue a writ to the sheriff of Halifax county directing the immediate removal or abatement of such building as a nuisance, such indictment may be tried at the quarter sessions of the county of Halifax, or in the supreme court, and on any trial of such indictment the court may award costs of proceeding and process of execution for the same.

Prosecutions.

13. All prosecutions for the penalties under this act shall be in the supreme court at the suit of the city of Halifax, by civil action to recover such penalties as debts with costs of suit.

Buildings contracted for exempted.

14. This act shall not be applicable to any building the contracts for the construction of which shall be in good faith entered into before the passage hereof.

Buildings 60 feet east of Water Street exempted.

15. Nothing in this act shall extend to buildings on wharves distant sixty feet and upwards easterly from the eastern line of Water street.

CHAPTER 36.

An Act to amend the Act to limit the erection of Wooden Buildings in the city of Halifax.

(Passed the 1st day of May, A.D., 1857.)

SECTION.

1. Wesleyan church in Brunswick street exempted.

SECTION.

2. Court house—St. Matthew's church.

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

Wesleyan church in Brunswick street exempted.

1. The Proprietors of the Wesleyan church in Brunswick street, in the city of Halifax, may make a wooden addition to that building notwithstanding the act hereby amended—such addition having been in contemplation before the passing of such act, though the contract therefor was not actually entered into.

Court house—St. Matthew's church.

2. The operation of the act hereby amended shall not extend to the court house about to be erected in the city of Halifax, nor to the church about to be erected by the congregation of St. Matthews.

CHAPTER 37.

An Act to amend the Act for regulating the marking of Logs in the County of Queens.

(Passed the 31st day of March, A. D. 1857.)

SECTION

1. Penalty for removing or altering marks.

SECTION

2. Sec. 1. cap. 54, 1856, repealed.

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

1. The penalty for fraudulently cutting off or altering the original marks on logs or timber in the rivers or dams in Queen's county, shall be twenty shillings for each log or stick of timber on which such marks are so cut or altered.

Penalty for removing or altering marks.

2. So much of section one of chapter fifty four of the acts of 1856 as is inconsistent with this act is repealed.

Sec. 1, cap. 54, 1856, repealed.

CHAPTER 38.

An Act to provide for repairing the Cornwallis Bridge.

(Passed the 13th day of April, A. D. 1857.)

SECTION

1. Members may borrow £1000. Repayment.

SECTION

2. Money—how expended.

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

1. The members of King's County may borrow on the pledge of the road monies of the county, and the security of this act, a sum not exceeding one thousand pounds, to aid in repairing and retopping the Cornwallis bridge, in that county ; such loan to be repaid by annual instalments of two hundred pounds out of the road grants for the years 1857, 1858, 1859, 1860 and 1861, with interest at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid.

Members empowered to borrow £1000.

Repayment.

2. The monies borrowed under this act shall be expended by the commissioners already appointed to take charge of such bridge, or by their successors in office.

Money—how expended.

CHAPTER 39.

An Act to alter the time of holding the Sessions for the County of Victoria.

(Passed the 31st day of March, A. D. 1857.)

SECTION

1. Sessions, meeting of. Attendance of Grand Jury.

SECTION

2. Cap. 51, acts 1853, and part sec. 2, cap. 44 revised statutes, repealed.

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

Sessions, meeting of.

1. The sessions for the county of Victoria shall hereafter be held on the second Tuesday of January, and the first Tuesday of July, in each year, instead of on the times now by law appointed therefor; and the grand jury shall attend such sessions during the July meeting.

Attendance of grand jury.

Cap. 51, acts 1853, and part 2 cap. 44 revised statutes, repealed.

2. Chapter 51 of the acts of 1853, and so much of section 2 of chapter 44 of the revised statutes, as is inconsistent with this act, are repealed.

CHAPTER 40.

An Act to provide for building a Bridge over Five Mile River, in the County of Hants.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Members empowered to borrow £200 Repayment.

SECTION

2. How expended,

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

Members empowered to borrow £200.

1. The members of the county of Hants, may borrow on the pledge of the road monies of the county, and the security of this act, a sum not exceeding two hundred pounds, to aid in building a bridge over Five Mile River in that county; such loan to be repaid by annual instalments of one hundred pounds out of the road grants for the years one thousand eight hundred and fifty eight and one thousand eight hundred and fifty-nine, with interest, at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid.

Repayment.

How expended.

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

CHAPTER 41.

An Act to provide for building a Bridge at Baddeck River, in the County of Victoria.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Members empowered to borrow £600 Repayment.

SECTION

2. How expended.

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

Members empowered to borrow £600.

1. The members of the county of Victoria may borrow on the pledge of the road monies of the county, and the security of this act, a sum not exceeding six hundred pounds, to aid in building a bridge across the entrance of Baddeck river in that county; such loan to be repaid by annual instalments of two hundred pounds each, out of the road grants for the three

years next subsequent to the present year, with interest at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid. Repayment.

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

CHAPTER 42.

An Act relating to Electoral District Number Eight, in the settlement of New Annan.

(Passed the 31st day of March, A. D. 1857.)

SECTION—Part of Earltown annexed to New Annan.

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

That part of the township of Earltown, which for electoral purposes has been annexed to New Annan, shall be annexed thereto for all other purposes, and shall henceforth be considered as a part of New Annan. Part of Earltown annexed to New Annan.

CHAPTER 43.

An Act to provide for improving the Road from Crow Harbor to Canso.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Members empowered to borrow £400.
2. Repayment.

SECTION.

3. How expended.

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

1. The members for the county of Guysborough may borrow on the pledge of the road monies of the county, and the security of this act, a sum not to exceed four hundred pounds, to aid in improving the new road from Crow Harbor to Canso. Members empowered to borrow £400.

2. Such loan shall be repaid by annual instalments of one fourth of the sum borrowed, during the years one thousand eight hundred and fifty eight, one thousand eight hundred and fifty nine, one thousand eight hundred and sixty, and one thousand eight hundred and sixty one, with interest at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid. Repayment.

3. The monies borrowed under this act shall be expended by Commissioners, to be appointed by the Governor in Council. How expended.

CHAPTER 44.

An Act relating to the width of certain Roads in the County of Digby.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Certain new roads may be laid out less than 50 feet wide.

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

Certain new roads may be laid out less than 50 feet wide.

The frecholders to be appointed under chapter sixty two of the revised statutes, may lay out a new road from the main road at Digby neck through the Saint Mary's Bay marsh to the beach ; and also the new road commencing at John V. Purdy's, and running to the cross road leading to Bear River ferry, of a less width than fifty feet ; if they shall consider such lesser width sufficient for the convenience of the public, and the sessions may confirm the same.

CHAPTER 45.

An Act to authorise the sale of the School House at Bridgewater.

(Passed the 1st day of May, A. D. 1857.)

SECTION

1. Sale—how made.
2. Application of proceeds.

SECTION

3. Rights not affected.

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

Sale—how made.

1. William Geldert, John Heison, and Benjamin W. C. Manning, the present trustees of the schoolhouse at Bridgewater, or their successors in office, may make sale of the Bridgewater schoolhouse, and of the lot of land on which it stands ; having first given notice of such sale by hand bills posted in at least five of the most public places in the township, for at least ninety days previously ; and such trustees, or their successors, shall execute and deliver a deed to the purchaser, which deed shall vest in such purchaser the title in fee simple to such property.

Application of proceeds.

2. The trustees shall apply the proceeds of such sale in the purchase of another site, and the erection of a new schoolhouse in Bridgewater ; such site to be approved of by the sessions.

Rights not affected.

3. Nothing in this act shall be construed to affect the rights of her Majesty, or any corporation, or private individuals.

CHAPTER 46.

An Act to provide for building a Bridge at Cape Sable Island,
in the county of Shelburne.

(Passed the 1st day of May, A. D., 1857.)

SECTION

1. Members empowered to borrow £100.
Repayment.

SECTION

2. How expended.

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

1. The members of the county of Shelburne may borrow on the pledge of the road monies of the county, and the security of this act, a sum not exceeding one hundred pounds, to aid in building a bridge over Mud creek, at Cape Sable Island, in the same county ; such loan to be repaid by annual instalments of fifty pounds out of the road grants for the two years next subsequent to the present year, with interest at a rate not exceeding six per cent., until the whole sum borrowed shall have been paid.

Members em-
powered to bor-
row £100.

Repayment.

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

How expended.

CHAPTER 47.

An Act to continue the Acts relating to the Steamboat Ferry
across the harbor of Pictou.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Acts 1854, cap. 78 and amendments continued.

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

Chapter seventy eight of the acts of 1854, entitled, an act to incorporate a company to establish a steamboat ferry across the harbour of Pictou, except as amended by chapter seventy nine of the acts of 1855, is, together with such amendments, hereby continued in force for three years, and thence to the end of the then next session of the general assembly.

Acts 1854, cap.
78 and amend-
ments continu-
ed.

CHAPTER 48.

An Act to settle and confirm the limits of the Town of
Yarmouth.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Boundries of Town proper.

Whereas, in the act to amend the act relating to firewards in the town of Yarmouth, passed in the fourth year of the

Preamble.

reign of his late Majesty king William the fourth, and in the act additional to the act for providing fire engines for the town of Yarmouth, passed in the twelfth year of her present Majesty's reign, the limits of the town are therein defined—which acts the general act for revising and consolidating the statutes, passed in the fourteenth year of her present Majesty's reign, repealed, and substituted no provision therefor. And whereas it is necessary that the limits of the town should continue to be established and defined as heretofore :

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

Boundries of town proper.

The town proper of Yarmouth shall be bounded as follows: beginning at a point on Bain's road, one fourth of a mile from its west end on the shore of Bain's pond ; thence by that road to Bain's pond ; thence across the pond to the Alder cove ; thence up that cove to the south line of the late Harris Harding's land ; thence by said line to the main road ; thence across the main road to the entrance of Lovett's road ; thence by Lovett's road to Israel Lovett's land ; thence by Lovett's land south-easterly to the harbor ; thence by the harbor past the south end of Harris' island easterly to the main channel ; thence southerly by the main channel to the west or outer end of commercial wharf ; thence south-easterly to the shore at the line on the north side of Amasa Durkee's ; from thence eastwardly on that line one mile ; and thence northwardly in a straight line to the place of beginning.

CHAPTER 49.

An Act to authorise an assessment on the county of Cape Breton for the erection of a Lock-up house at North Sydney.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Grand Jury may assess for completion of lock-up house at North Sydney.

SECTION.

2. Sessions may amerce.

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

Grand jury may assess for completion of lock-up house at North Sydney.

1. The grand jury of the county of Cape Breton shall present such sum of money as will be necessary to complete the lock up house at north Sydney, now in course of erection, which, when confirmed by the sessions, shall be added to the county assessment, and collected as part thereof, and the grand jury shall from time to time present such sums of money as shall be necessary to keep in repair the said lock up house, and to provide a keeper thereof.

2. If the grand jury shall refuse or neglect to make such presentment the justices in session shall amerce the county for any sums which shall be necessary for the purposes above mentioned.

Sessions may amerce.

CHAPTER 50.

An Act to change a Polling place in the County of Pictou.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Polling place to be in Garden of Eden.

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

At any future election of members to serve in general assembly for the county of Pictou, the poll shall be taken at some convenient place in the Garden of Eden, in polling district number twenty two, in the county of Pictou, instead of the place heretofore used for that purpose.

Polling place to be in Garden of Eden.



PRIVATE ACTS.



CHAPTER 51.

An Act to authorise the sale of the Gairloch and New Lairg Meeting House.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Power to sell.
2. How conveyed.

SECTION.

3. Application of proceeds.

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

1. The congregation of the presbyterian church at Gairloch and New Lairg in the county of Pictou, may sell and dispose of the old meeting house at public auction. Power to sell.

2. The title to such meeting house shall be conveyed to the purchaser by the trustees of the church ; and if there are no trustees the congregation may appoint trustees for the purpose of transferring the same, and the act of such trustees shall be valid as regards such transfer of title. How conveyed.

3. The proceeds arising from such sale shall be applied to such purposes as a majority of the congregation may direct. Application of proceeds.

CHAPTER 52.

An Act to incorporate the Trustees of the Free Church at Great Bras d'Or in the island of Boulardrie.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Incorporation.
2. Congregation.
3. Meeting of congregation.
4. Meetings of trustees.
5. Regulations regarding increase, &c., of trustees.

SECTION.

6. Pew rents to whom payable—how recovered.
7. Loan by trustees.
8. Half yearly meetings of trustees, proceedings at, &c.

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

1. The trustees appointed by the congregations of the Great Bras d'Or, and of Man-of-war Point, Boulardrie, in the county of Victoria, in connexion with the free church of Nova Scotia, on the eight and ninth days of July, in the year one thousand eight hundred and fifty one, namely, Donald McDonald, Murdoch Battleman, John McDonald, William McAulay, John McNeil, Norman McLean, Murdoch Morrison, James Sutherland, Donald McLeod, and Donald McKenzie, and their successors in office, shall be a body corporate, by the name of the trustees of the free church congregations of Boulardrie, and the real and personal estate now belonging to Incorporation.

these congregations shall be vested in them as trustees under this act.

poration.

2. The persons who at any time subscribed, or caused their names to be subscribed, or may from time to time subscribe, are hereby declared to be the congregations of the free church of Boulardrie, according to the congregational book under the ministerial charge of the rev. James Fraser, and his successors in office, to be elected according to the rules of the free church of Nova Scotia for the time being.

Meetings of congregation.

3. The congregations may hold meetings as often as necessary and convenient, provided due notice of such meetings and their objects be given from the pulpit, at least four days previously. The business of such meetings to be duly entered in a book, kept for the purpose, and signed by the chairman.

Meetings of trustees.

4. The trustees, three to be a quorum, may meet when necessary, provided public notice be given four days previously, or a written notice to each trustee a week previously, and their proceedings shall be engrossed in a book and signed by the chairman.

Regulations regarding increase, &c., of trustees.

5. The trustees, and their successors in office, may from time to time, with the consent of the congregation, increase their number by the addition of such other suitable persons as may be deemed necessary for the due management of their respective trusts and obligations; and if at any time the congregation neglect to appoint trustees, or in case the trustees themselves neglect to add to their number when necessary, the minister shall appoint such persons as he may deem fit for the office, and in all cases each person so appointed, and his successors in office, shall have co-ordinate rights, powers, and obligations with the other trustees.

Pew rents, to whom payable—how recovered.

6. All pew rents, subscriptions for the sustentation of the ministry, or for building of places of worship, or other monies whatsoever now or hereafter to be due, or owing to, or for the benefit of such churches or congregations, or for the purposes of the trust, shall be payable to the trustees respectively, and shall be recovered by them, or by their convener or secretary, in the same manner and by the same means as debts of the like amount may or can be recovered.

Loan by trustees.

7. The trustees of each congregation are hereby empowered to finish their respective places of worship, and if the amount originally subscribed be insufficient for that purpose, they are hereby authorised to effect a loan not exceeding eighty pounds currency on the security of such churches respectively.

Half yearly meetings of trustees, proceedings at, &c.

8. Two general meetings shall be held by the trustees in each year, namely, in March and September, at which each trustee shall submit a return of all sums paid, and all arrears due at each term by each subscriber within the district,

entrusted to him, which returns, after being duly submitted to the meeting and approved of, shall be delivered to the moderator of the Presbytery of the bounds, to be by him submitted to that court.

CHAPTER 53.

An Act to incorporate the Halifax Corresponding Committee of the Colonial Church and School Societies.

(Passed the 1st day of May, 1857.)

SECTION

- 1. Incorporation.
- 2. Real Estate.

SECTION

- 3. Property vested in this corporation.

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

1. The lord bishop of Nova-Scotia, the honorable Mather B. Almon, the reverend John Thomas Twining, D. D., the reverend Edmund Maturin, James G. A. Creighton, Thomas A. Brown, Peter Lynch, William Pryor, junior, Henry Ince, P. Carteret Hill, James C. Cogswell, John W. Ritchie and William Hare, esquires, and all and every such other person and persons as shall be hereafter duly appointed members of "the Halifax corresponding committee of the colonial church and school society," and their successors, are hereby created a body politic and corporate, by the name of "the Halifax corresponding committee of the colonial church and school society."

Incorporation.

2. The corporation shall not at any time hold real estate of greater value than ten thousand pounds.

Real estate.

3. The property of "the Halifax association in aid of the colonial church society" is hereby vested in "the Halifax corresponding committee of the colonial church and school society" by and with the consent of the said association, and the act to incorporate the "Halifax association in aid of the colonial church society" is hereby repealed.

Property vested in this corporation.

CHAPTER 54.

An Act to incorporate the Trustees of Knox's Free Church at Baddeck, in the county of Victoria.

(Passed the 1st day of May, 1856.)

SECTION

- 1. Incorporation.
- 2. Congregation.
- 3. Meetings of congregation.
- 4. Meetings of trustees.
- 5. In case of death, &c., of a trustee.

SECTION

- 6. Pew rents, &c., to whom payable—how collected, &c.
- 7. Loan by trustees.
- 8. Annual meeting of trustees.

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

Incorporation.

1. The trustees appointed by the congregation at Baddeck, in connection with the free church of Scotland, at a meeting held on the fourth day of February, in the year one thousand eight hundred and fifty seven, viz:—Charles J. Campbell, Joseph Hart, Donald McAulay, John Watson, Archibald McDermit, Malcolm Campbell, John McRae, Evans Campbell, Donald Morrison, William McLean, Alexander Finlayson, Joseph Elmsley, and their successors in office, to be duly appointed, are hereby created a body corporate, by the name of "the trustees of Knox's Free Church," at Baddeck, in the county of Victoria; and the real and personal estate now belonging to the congregation shall be vested in them under this act.

Congregation.

2. The persons whose names were subscribed, or may from time to time be subscribed towards the building of the church, or the yearly support of the minister, are hereby declared to be the congregation of Knox's free church at Baddeck.

Meetings of congregation.

3. The congregation may hold meetings for making bye laws, and for other business, as often as convenient and necessary, provided due notice of such meetings be given from the pulpit, at least four days previously, and the object of the meeting stated at the same time, and that the proceedings be recorded in the congregational book and signed by the chairman for the time being.

Meetings of trustees.

4. The Trustees, three to be a quorum, may meet whenever they think proper, provided public notice be given from the pulpit, or in writing to each trustee four days previously.

In case of death, &c., of a trustee.

5. In the event of a vacancy by the death, removal, or resignation of a trustee, such vacancy shall be filled up by a vote of the majority of the congregation present at a meeting convened for the purpose.

Pew rents, &c., to whom payable—how collected, &c.

6. All pew rents, subscriptions for the sustentation of the ministry, building, finishing or repairing the church, or other monies whatsoever now due, or in arrear or to become due, for such purposes, or others in connection with the trust, shall be payable to the trustees and may be secured, sued for and recovered by them in the same manner as debts of a similar nature are now recoverable.

Loan by trustees.

7. The trustees are hereby empowered to finish their place of worship, and effect a loan by way of mortgage on the property, should the sum already subscribed be insufficient.

Annual meeting of trustees.

8. A meeting of the trustees shall take place annually at such time as the congregation may direct; and at such meetings the trustees shall submit a return of all sums received and paid, and also of all arrears due by the subscribers.

CHAPTER 55.

An Act to amend the act to incorporate the Trustees of Saint Matthew's Church in Halifax.

(Passed the 31st day of March, 1857.)

SECTION—Trustees empowered to hold real estate, &c

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

1. William Murdoch, David Falconer, Donald Murray, John Munro, W. H. Neal, John Strachan and William Knight, the present trustees of Saint Matthew's church in Halifax, and their successors in office, or any five of them may, from time to time, purchase or acquire, hold and enjoy, on the behalf of the congregation of such church, any lands, tenements or hereditaments in fee simple; and the trustees and their successors in office are hereby authorised and empowered, from time to time, to sell and convey any lands, tenements, or hereditaments, held by them for the congregation, and in their names or in the names of any five of them as such trustees, to execute and deliver to the purchaser of such real estate, all necessary deeds and conveyances to assure the title therein; provided that before any such sale take place it shall be necessary for a majority of the congregation, by written resolution, to be passed at a general meeting of such congregation, composed of registered pew holders, to authorise and sanction the sale of any real estate so held by the trustees.

Trustees empowered to hold real estate, &c.

Proviso.

CHAPTER 56.

An Act to incorporate the Trustees of the first Baptist Church at Horton.

(Passed the 13th day of April, A. D. 1857.)

SECTION

1. Incorporation.
2. Real and personal estate—how vested—value of.

SECTION

3. Trustees, power of
4. Rights of parties not affected.

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

1. William Johnson, Simon Fitch, Samuel Reed, William Pick and Martin L. Cleveland, and their respective successors in office, to be elected according to the rules of the Church, are hereby created a body corporate by the name of "the trustees of the first Baptist church at Horton," in King's county.

Incorporation.

2. All the real and personal estate in which the church is now, or may at any future time be interested, are hereby

Real and personal estate—how vested—value of

vested in the trustees for the use and benefit of said church; and the trustees shall have power to purchase, take, and hold real and personal estate for such use, not to exceed in value five thousand pounds.

Trustees, power of.

3. The trustees shall have power upon a vote of a majority of the church to raise funds by mortgage, lease, loan, or otherwise, for repairing and keeping in order the real and personal estate belonging to the church, and also to sell any portion of the estate for the use and benefit of the church; thirty days notice of such intended mortgage, lease, loan or sale shall be given from the pulpit on some Sunday during morning service, and the said notice shall be repeated on each successive Sunday previous to the day appointed for the meeting of the church in reference to such mortgage, lease, loan or sale; and no such mortgage, lease, loan or sale shall be valid unless sanctioned by a majority of such meeting and a declaration of such meeting having given such sanction, entered on the records of the meeting, shall be presumptive evidence of the fact.

Rights of parties not affected.

4. Nothing herein contained shall be construed to interfere with, alter, or affect, the rights of her Majesty, or any body corporate or private individuals.

CHAPTER 57.

An Act to incorporate the Trustees of the Free Church Congregation, at Broad Cove Intervale, in the County of Inverness.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Incorporation
3. Power of trustees.

SECTION.

3. Real estate.

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

Incorporation.

1. The trustees appointed by the congregation at Broad Cove Intervale, in the county of Inverness, in connection with the Free church of Scotland, at a meeting held on the first day of December, in the year one thousand eight hundred and fifty six, namely, Donald Fraser, Allan McQuarrie, William McQuarrie, Neil McLean, Alexander McKinnon, Lauchlin McLean and John McGregor, and their successors in office, shall be a body corporate by the name of "the trustees of the Free church congregation at Broad Cove."

Power of trustees.

2. The trustees shall have power to purchase, take, and hold real and personal estate for the use of the congregation, and the real and personal estate now belonging to the congregation is hereby vested in such trustees.

Real estate.

3. The real estate to be held under this act shall not exceed in value two thousand pounds.

CHAPTER 58.

An Act to authorise the sale of the old Baptist Meeting House in Windsor.

(Passed the 31st day of March, A- D. 1857.)

SECTION.

1. Sale of meeting house—how regulated.
2. Application of proceeds.

SECTION

3. Private rights not affected.

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

1. A majority of the members of the congregation, usually meeting for Divine worship in such meeting house, present at a meeting to be held after at least ten days notice of the time and place of holding such meeting being given by public intimation to the congregation during or immediately after Divine service, may authorise and direct the surviving trustees, in whose name is held the lot of land on which the meeting house stands, and in case of the death of the now surviving trustees, then such persons as the congregation at such meeting to be so convened shall, for that purpose, appoint to sell and convey in fee simple the lot of land with the building thereon, with the easements and appurtenances thereto belonging, and which lot of land by deed, dated the thirtieth day of August, in the year one thousand eight hundred and nineteen, and duly registered in the office of the registry of deeds at Windsor, in book thirteen page two hundred and seventeen, was conveyed by one Hugh Alexander Emerson to Timothy O'Brien, Benjamin DeWolf, William Leonard, John Godfrey, and Allen Young, in trust and for, and upon such uses, intents, and purposes as the congregation of the Baptists shall from time to time limit, direct and appoint.

Sale of meeting house—how regulated.

2. After deducting from the purchase money the charges attending such sale, the balance shall be paid over to such persons as the congregation shall appoint to receive the same, to be held to and for the use of the congregation.

Application of proceeds.

3. Nothing herein contained shall affect private rights other than as herein expressed.

Private rights not affected.

CHAPTER 59.

An Act in further amendment of the Act to incorporate the Inland Navigation Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Directors may issue preferential stock or borrow money on bonds, or otherwise.

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

Directors may issue preferential stock or borrow money on bonds or otherwise.

1. The board of Directors of the "Inland Navigation company" are hereby authorized in conformity with the terms of a resolution, passed at a special meeting of the shareholders called for that purpose, and held on the second day of June last, to issue and sell preferential stock for the purpose of raising funds sufficient to complete the inland water communication, now in course of construction by such company, or to borrow such amount of money upon the credit of the company, or by issuing the company's bonds or debentures therefor or otherwise as shall be necessary for such purpose upon such interest as they may be enabled to obtain the same; although such interest may exceed the usual rate of six per cent. provided that the powers hereby conferred shall in no wise operate as a discharge of the sum of five thousand pounds heretofore loaned by her Majesty's provincial government to the said company, but that such sum together with legal interest thereon, at the rate of six per cent. shall continue to be a first charge upon the property and effects of the company.

CHAPTER 60.

An Act to incorporate the Minas Hall Company.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Incorporation.
2. Capital Stock.

SECTION.

3. Liability of members.

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

Incorporation

1. Elijah C. West, James Brown, Levi Rand, Thomas Doyle, Isaac Beach, David Lyons, Enoch West, Leander Newcombe, and such other persons as now are, or shall from time to time become shareholders in the company hereby established, their successors and assigns, are created a body corporate by the name of the "Minas Hall company," for the purpose of erecting a hall at Lower Pero, in King's County, for public purposes.

Capital Stock.

2. The capital stock of the company shall be one thousand pounds, to be divided into shares of two pounds each; and the company may hold real estate not exceeding in value one thousand pounds.

Liability of members.

3. No member of the company shall be liable in his person or separate estate for a greater amount in the whole than double the amount of stock held by him, after deducting the amount actually paid to the company on account thereof, unless he shall have made himself liable for a greater amount by becoming surety for the debts of the company.

CHAPTER 61.

An Act to incorporate the Musquodoboit River Navigation Company.

(Passed the 1st day of May, A.D. 1857.)

SECTION.

1. Incorporation.
2. Capital stock—shares.
3. Subscription book.
4. First meeting.
5. When to go into operation, &c.—power of company proviso.
6. May enter uncultivated lands, &c—Damages—how settled.
7. Contracts. Upon compensation to owners, may lay off any lands necessary for the work.
8. Fish gate.
9. Towing paths, &c.

SECTION

10. Railway over the over-haul road.
11. Penalty for floating stumps, &c.
12. Real estate.
13. Liability of shareholders.
13. Legislature may take the work after 20 years.
14. Accounts, &c. to be sent to provincial secretary.
15. Inspector may be appointed—powers of, &c.
16. Tolls.
17. Exception from toll.

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

1. Henry A. Gladwin, Alexander Taylor, John McLean, Francis Layton, Dominic Farrell and Charles W. Fairbanks, and all other persons who shall become proprietors in the Company hereby established, their successors and assigns, shall be a body corporate, by the name of the “Musquodoboit River Navigation Company.” Incorporation.

2. The capital stock of the company shall be ten thousand pounds divided into two thousand shares of five pounds each. Capital stock.

3. Any of the parties named herein may immediately after the passing of this act open a subscription book for shares and give public notice of the opening thereof, for at least thirty days in two or more of the Halifax newspapers, and by hand-bills posted up in Musquodoboit and other parts of the County of Halifax.

4. As soon as two hundred shares shall be subscribed for, the shareholders may hold their first meeting, and thereat appoint their officers, viz., a president, directors, and an engineer, and such subordinate officers as they may deem necessary. First meeting.

5. The company as soon as the same shall have been organized and the sum of two thousand pounds paid in on account of the stock taken, may proceed to render navigable the Musquodoboit river from the head of Musquodoboit harbour upwards, to deepen, widen, excavate, or clear out such river, and shall have power to construct locks, dams, sluices, wasteways, slips, railways, inclined planes, and all and every description of structure calculated to improve and make good the navigation from the harbour of Musquodoboit by the channel or channels of the Musquodoboit river, or on either bank thereof, When to go in-
to operation.

Powers of com-
pany.

as far up the stream as may be deemed advisable by the company; and the company shall have the right to dig, excavate, or embank the channels of the river or any part thereof, and to place stop-gates on the river or on any streams running into the same, or lakes discharging their waters into the river or streams so as to render the river navigable—provided the stop gate at the jam falls shall not be allowed to retain the water in summer time above its lowest level.

Proviso.

May enter un-cultivated lands

Damages, &c., how settled.

6. The company may from time to time enter upon any lands not under cultivation, and there cut down any trees, prepare any timber, and quarry and dig any rock or other materials there found, and work, prepare and carry away the same for carrying into effect the objects of the company; and if the parties having the property in such lands or materials shall refuse to agree with the company therefor and for any damages occasioned thereby or shall refuse such reasonable compensation as may be tendered therefor, the same shall be settled by arbitration as hereinafter mentioned in the case of real estate required by the company; but the company shall not take or use any such materials as may have been previously wrought or prepared, without the consent of the parties entitled thereto.

Contracts.

Upon compensation to owners, may lay off lands necessary for them.

7. The company shall have power to make all contracts and do all acts necessary to improve the navigation of the Musquodoboit river, and may enter upon any lands and lands covered with water by themselves or their servants, and survey and lay off such parts thereof as may be necessary for works connected with the improvement of the navigation of the river, on paying to the owners a due and reasonable compensation therefor, and in case of disagreement between such owners and the company as to the amount of such compensation, the amount shall be settled as follows: one appraiser to be named by the company and one by the owner of the soil, and in case of difference the two appraisers shall nominate a third to act as umpire, and the amount agreed on by the appraisers and umpire or any two of them shall be conclusive between the company and the owner of the soil.

Fish gate.

8. In case any obstruction shall be made across the present course of the Musquodoboit river the company shall make and maintain therein a sufficient fish ladder or waste gate, with proper grates and valves, for allowing at all proper seasons the passage of fish up and down such river; the company in respect of making and maintaining such fish ladder or waste gate to be subject to the rules, fines, and forfeitures contained and imposed in and by chapter 95 of the revised statutes, "Of river fisheries," and all acts in amendment thereof.

Towing paths, &c.

9. The company shall have power to make all necessary towing paths or roads along the shores, banks or sides of the

Musquodoboit river, for the tracking or towing boats or vessels along the line thereof.

10. It shall be lawful for the company to construct a railway or inclined plane over the old road known as the over-haul road, or from Musquodoboit Harbour by way of Little Lake to Blue's Lake.

Railway over the over-haul road.

11. Every person who shall hereafter wilfully float any stumps of trees, brush, chips or other refuse wood or rubbish of any description in or down the Musquodoboit river or any of the rivers, lakes or streams which flow into it, and shall thereby obstruct and injure the ways or works of the company, shall be subject to a penalty of not less than ten shillings or more than forty shillings.

Penalty for floating stumps, &c.

12. The company may purchase and hold real estate and sell or let the same; the real estate to be held at any one time not to exceed in value the sum of ten thousand pounds.

Real estate.

13. No shareholder shall be liable on account of the debts of the company for a greater amount than double the amount of stock held by him, deducting therefrom the amount paid to the company on account of such stock, unless he shall have rendered himself liable therefor by becoming security for the debts of the company.

Liability of shareholders.

14. The legislature may, at its option, at any time after twenty years from the passing of this act, take all the works and appurtenances erected for improving the navigation of the Musquodoboit river and keep the same in operation for the benefit and under the control of the government on paying to the company a sum equal to twenty year's purchase of the annual profits, divisible upon the subscribed and paid up capital stock of the company—provided such average rate of profits shall not be less than eight per cent.

Legislature may take the work after 20 years.

15. Full and true accounts shall at all times be kept by the directors of the company of all sums of money received and paid on account of the company, and the company shall once in every half year cause a half yearly account in abstract to be prepared, shewing the total receipt and expenditure on account of the company for the half year, ending the thirtieth day of June and the thirty-first day of December respectively, under distinct heads of receipt and expenditure, with a statement of the balance of such account duly audited and certified under the hands of two or more of the directors of the company, and shall send a copy of such account to the provincial secretary, on or before the last days of August and February, respectively; and it shall be lawful for the Governor in council if they shall think fit, at all times, to appoint any proper person or persons to inspect the accounts and books of the company; and it shall be lawful for any person so authorized at all reasonable times, upon producing his authority, to examine the books, accounts, vouchers, and other documents

Accounts, &c., to be sent to provincial secretary.

Inspector, &c., may be appointed, powers of, &c.

of the company, at its principal office or place of business, and to take copies or extracts therefrom.

Toll. 16. The company shall at all convenient times after the completion of their work keep open for the use of the public all the locks, sluices, slips, railways, and inclined planes upon the payment of a certain rate of toll money, to be regulated by the court of sessions, and approved by the Governor in council, and revised every five years.

Exemption from toll. 17. No tolls shall be charged for the conveyance of her Majesty's mails, or of troops and munitions of war over and through the locks, sluices, slips, railways and inclined planes and other works of the company.

CHAPTER 62.

An Act to incorporate the Union Iron Mining Company of Digby County.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

- 1. Incorporation.
- 2. Capital stock, shares, &c.,
- 3. Directors, eligibility for.
- 4. Votes.
- 5. Directors, members—election of.
- 6. General annual meeting of proceedings. Special meetings. Votes by proxy. Majority required.

SECTION.

- 7. Bye laws to be deposited with provincial secretary.
- 8. Liability of members. When to go into operation.
- 9. Stock certificates.
- 10. Penalty for shareholders for not paying up shares.

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

Incorporation.

1. Rufus Foster, George Johnston, Charles Johnston, David Thomas, N. William Busted, George Cornwall, and George W. Busted, or any of them, and all other person and persons who shall from time to time be and become shareholders in the company hereby established, their successors and assigns, shall be and they are hereby created a body politic and corporate under the style and title of "the union iron mining company of Digby county," for mining and for manufacturing iron and steel. The company may own, purchase or lease lands in the county of Digby, and may explore, open and work any mines, veins, minerals or coals, or deposits of iron, or other minerals on such lands within the said county, subject to all crown rights and royalties, and reduce, smelt, manufacture, use and export the same ; and may set up and establish factories and machinery, and may engage in and prosecute any lawful business or calling within the scope and in furtherence of the objects contemplated by this act.

Capital stock, shares, &c

2. The capital or joint stock of the company shall be eighty thousand dollars in shares of twenty dollars each, which shall be deemed and held to be personal property and transmissible and assignable as such.

3. No person shall be eligible to be a director of the company who shall not be a bonâ fide holder in his own right of at least twenty five shares in the capital stock of the company.

Directors eligibility for.

4. Every person holding stock to the amount of one hundred dollars, or five shares, shall be entitled to one vote in the election of the officers, and at all public meetings of the company. Every shareholder to the amount of four hundred dollars, or twenty shares, shall be entitled to two votes. Every shareholder to the amount of eight hundred dollars, or forty shares, to three votes. Every shareholder to the amount of sixteen hundred dollars to four votes, and no person shall on any account be entitled to more than four votes.

Votes.

5. The shareholders at their first general meeting shall elect seven directors by ballot, who shall continue in office until the next annual general meeting.

Directors, members—election of.

6. The general annual meeting of the shareholders of the company shall be held in such place in the city of New York, or in the city of Boston, or in the town of Annapolis Royal, in the province of Nova Scotia, as the directors may from time to time determine and give notice; and such meetings after the present year shall be held on the first Thursday of June in each year; at which meeting the board of directors for the past year shall exhibit a full statement and report of the affairs of the company, and the meeting shall thereupon proceed to examine and audit the accounts, elect a board of directors for the ensuing year, amend or annul any bye-law, and make any new bye-laws and transact all other necessary business; and special meetings of the shareholders may be called by the directors upon a requisition to that effect signed by any ten shareholders—of which meeting and the object thereof at least twenty days notice shall be given in some newspaper published in each of the three places above mentioned; and at all meetings of shareholders each shareholder may vote in person, or by proxy, on production of sufficient written authority; every question at such meetings shall be decided by a majority of two thirds of the votes represented thereat.

General annual meeting—proceedings at, &c.

Special meetings.

Votes by proxy.

Majority required,

7. A copy of the bye-laws of the company and also of the register of shareholders shall be deposited in the office of the provincial secretary of this province.

Bye laws to be deposited with provincial secretary.

8. No member of the corporation shall be held liable in his person or separate estate for the debts of the company for a greater amount in the whole than double the amount of stock held by him. But the company shall not go into operation until shares to the amount of one half of the capital stock are subscribed, and one fourth part of such capital stock be paid into the bank of British North America, or some other incorporated bank in Halifax, nor until a certificate of such payment shall have been filed in the office of the provincial secretary at Halifax.

Liability of members.

When to go into operation.

Stock certificates.

9. The president and secretary of the company are hereby empowered to sign the certificates of stock, and none shall be issued in this province unless signed by them.

Penalty for shareholders for not paying up shares, &c.

10. Any shareholder not complying with the terms of this act and of the bye-laws of the company as regards the payment of shares or instalments thereon shall, after being called on twice and not fulfilling the requirements of said call, be duly notified to sell or transfer his stock or pay forthwith for the same, and in case of refusal so to do he shall be declared as no longer entitled to any benefit, profit or privilege as a member of the company.

CHAPTER 63.

An Act to incorporate the Trustees of the Baptist Parsonage at Chester.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Incorporation.
2. Power of trustees. Proviso

SECTION

3. Application of funds.
4. Private rights not affected.

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

Incorporation.

1. The present committee for managing the Baptist parsonage at Chester, viz., Daniel Dimock, Charles Church, senior, and John Melvin, and their successors in office, to be duly appointed, are hereby created a body corporate by the name of the " trustees of the Baptist parsonage at Chester," and the real estate belonging to the Baptist society in Chester is vested in such trustees.

Power of trustees.

2. The trustees may purchase, take, and hold real and personal estate for the purposes of this act not exceeding in value three thousand pounds, and may sell, mortgage or lease the same ; provided that when such sale, mortgage or lease is intended, thirty days notice thereof must be given to the congregation in the meeting house on some Sunday immediately after Divine service, and no such sale, lease or mortgage shall be valid unless sanctioned by a majority of the society present at such meeting ; and a declaration of such sanction entered on the minutes of the meeting shall be presumptive evidence of the fact.

Proviso.

Application of funds.

3. The funds arising from the sale, mortgage or lease of such real estate shall be applied towards erecting and finishing another parsonage at Chester.

Private rights not affected.

4. Nothing herein contained shall be construed to affect private rights other than as is herein expressed.

CHAPTER 64.

An Act to incorporate the Digby and Bridgetown Steamboat Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Incorporation.
2. Capital Stock shares—real estate—
When to go into operation.

SECTION.

3. Company may build steamboats.
4. Liability of members.

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

1. Edward R. Oakes, Edward M. Marshall, John C. Wade, Charles Budd, Timothy D. Ruggles, Joseph Wheelock, John McCormack, Robert H. Bath, James Cornwell, and such other persons as now are or may hereafter become shareholders in the company hereby established, their successors and assigns, shall be a body corporate, by the name of "the Digby and Bridgetown steamboat company."

2. The capital stock of the company shall be five thousand pounds, to be divided into shares of five pounds each, and the company may hold real estate not exceeding in value three thousand pounds ; but this act shall not go into operation until three hundred shares are actually subscribed for and paid up.

3. The company may build, purchase and employ one or more steamboats of such size and power as they may see fit, as ferry boats, packets, or tug boats in and upon the Annapolis river and basin and the strait leading to the Bay of Fundy.

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

CHAPTER 65.

An Act to incorporate the Port Medway Ship building and Fishery Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. Incorporation.
2. Capital stock shares—real estate.

SECTION.

3. Liability of members.
4. Bye-Laws to be registered.

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

1. Elisha Cohoon, Z. P. Armstrong, Peter Cohoon, John Parks, George Mitchell, John Norris, Richard Mitchell,

Alexander Lisk, William Parks, John Bayley, and such other persons as now are or shall hereafter become shareholders in the company hereby established, their successors and assigns, are created a body corporate by the name of "the Port Medway ship building and fishery company," for the purpose of building suitable vessels and prosecuting the deep sea and other fisheries from Port Medway in Queen's county.

Capital stock shares—real estate.

2. The capital stock of the company shall be ten thousand pounds, to be divided into shares of ten pounds each; and the company may hold real estate not exceeding in value five thousand pounds; but the company shall not go into operation until one hundred shares shall have been subscribed and one thousand pounds actually paid in on account thereof.

Liability of members.

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

Bye-Laws to be registered.

4. The bye laws and lists of shareholders shall be registered in the registry of deeds for Queen's county.

CHAPTER 66.

An Act to incorporate the Safe Harbor Pier Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

- 1. Incorporation.
- 2. Erection of Pier, rates of wharfage, &c.

SECTION.

- 3. Capital stock—shares—real estate.
- 4. Bye-laws to be approved and recorded.

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

Incorporation.

1. Levi Loomer, John Bolser, Justus Loomer, John S. Baxter, Marchant Rand, James Davis, John Lyons, Caleb Foote, and such other persons as are, or may become shareholders in the company hereby established, their successors and assigns are hereby created a body corporate by the name of "the Safe Harbor pier company."

Erection of pier, rates of wharfage, &c.

2. The company may erect a public pier or breakwater, with stores and buildings at Safe Harbor, in King's county, upon any land owned by the company or the public, in and about such pier or breakwater; which pier, stores, and buildings, shall be open and free for the use of the ships and vessels, and of all persons desirous of using the same for trading purposes, subject to such rates of dockage, wharfage, and storage as shall be fixed by the company, with the consent of the sessions.

3. The capital of the company shall not exceed two thousand pounds, to be divided into shares of two pounds and ten shillings each; and the company may hold real estate not exceeding in value two thousand pounds.

Capital stock shares—real estate.

4. The bye-laws of the company shall not come into operation until they shall have been approved of by the sessions and recorded in the registry of deeds for King's county.

Bye-laws to be approved and recorded.

CHAPTER 67.

An Act to incorporate the Margaretville Fishing Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

- 1. Incorporation.
- 2. Capital stock shares—real estate.

SECTION.

- 3. Liability of members.
- 4. Bye-laws to be recorded.

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

1. John Grimes, Reis Stronach, David W. Landers, John Meelick, John Baker, Thomas A. Margeson, William A. Fowler, John Harris, and such other persons as now are, or shall hereafter become shareholders in the company hereby established, their successors and assigns, are created a body corporate by the name of the "Margaretville fishing company," for the purpose of prosecuting the fisheries from Margaretville in the county of Annapolis.

Incorporation.

2. The capital stock of the company shall be two thousand pounds, to be divided into shares of two pounds and ten shillings each, and the company may hold real estate not exceeding in value one thousand pounds; but the company shall not go into operation until eighty shares shall have been subscribed and two hundred pounds actually paid on account thereof.

Capital stock shares—real estate.

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

Liability member

4. The bye laws and list of shareholders shall be recorded in the registry of deeds for the county of Annapolis.

Bye-laws t recorded.

CHAPTER 68.

An Act to incorporate the Trout Cove Pier Company.

(Passed the 13th day of April, A. D. 1857.)

SECTION.

1. Incorporation.
2. Regulating regarding pier, &c.

SECTION.

3. Capital stock, shares—real estate.
4. Bye-laws to be approved by sessions.

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

Incorporation.

1. Isaac Dakin, John Dorey, Peter Raymond, James Morton, Alfred Ward, William Dakin, Calvin Holmes, James Morehouse, William Titus, Edward Denton, Joseph Banks, Joseph Titus, and such other persons as are, or may become shareholders in the company hereby established, their successors, and assigns are hereby created a body corporate by the name of the Trout Cove pier company.

Regulations regarding pier, &c.

2. The company may erect a public pier or breakwater, with stores and buildings at Trout Cove, in the county of Digby, upon any land owned by the company or the public in and about such pier or breakwater, which pier, stores and buildings, shall be open and free for the use of all ships and vessels, and of all persons desirous of using the same for trading purposes, subject to such rates of dockage, wharfage and storage as shall be fixed by the company with the consent of the sessions.

Capital stock, shares, real estate.

3. The capital of the company shall not exceed two thousand pounds, to be divided into shares of two pounds and ten shillings each, and the company may hold real estate not exceeding in value two thousand pounds.

Bye-laws to be approved by sessions

4. The bye laws of the company shall not come into operation until they shall have been approved of by the sessions, and recorded in the registry of deeds for the county of Digby.

CHAPTER 69.

An Act to continue the Act to incorporate the Avon Marine Insurance Company.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Act 14 Vic. cap. 26, continued for 10 years.

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

Act 14 Vic., cap. 26, continued for 10 years.

1. The act 14th Victoria, chapter 26, entitled, "an act to incorporate the Avon marine insurance company," is hereby continued in force eighteen years, and thence to the end of the then next session of the general assembly.

CHAPTER 70.

An Act to repeal the Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax, and the Act in amendment thereof.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Acts 11 and 14 Vic. regarding water company repealed.

SECTION.

2. Lands set apart for water company to revert to the city.

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

1. The act passed in the eleventh year of her Majesty's reign, entitled, an act to enable the Halifax water company to construct a reservoir on the common of Halifax, and also the act passed in amendment thereof, in the fourteenth year of her Majesty's reign, are hereby repealed.

Acts 11 and 14 Vic. regarding water company repealed.

2. The piece of land, part and parcel of the common of Halifax, described in the last mentioned act and thereby appropriated to the Halifax water company for the purpose of constructing a reservoir, not being now required by the Halifax water company for that purpose, shall revert to the city of Halifax and form part of the common, in the same manner and to the same extent as if the said acts had never been passed.

Land set apart for the water company to revert to the city.

CHAPTER 71.

An Act to increase the Capital Stock of the Halifax Gas Light Company.

(Passed the 31st day of March, A. D. 1857.)

SECTION.

1. Capital stock increased to £40,000.—
Division into shares.

SECTION.

2. 9 sec 3 vic. repealed.

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

1. The capital or joint stock of the Halifax gas light company, which by the act of incorporation of such company passed in the 3d year of her Majesty's reign, is fixed at twenty thousand pounds, may be extended to the sum of forty thousand pounds, or to such amount under that sum as shall by the company be deemed necessary ; to be divided into shares of the like amount and subject to bye laws, rules, and regulations as in respect to the original capital in such act of incorporation is prescribed and contained.

Capital stock increased to £40,000.

Division into shares, &c.

2. The ninth section of the act passed in the third year of her Majesty's reign, entitled, an act to incorporate the Halifax gas light company is repealed.

9. sec 3 Vic. 3. repealed.

CHAPTER 72.

An Act to enable Henry Bessemer to obtain Letters Patent.

(Passed the 1st day of May, A. D. 1857.)

SECTION.

1. H. Bessemer may obtain letters patent notwithstanding his residence without the Province.

SECTION.

2. Affidavit—how made. Proviso.

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

1. It shall be lawful for Henry Bessemer, of Queen street place, new Connor street, in London, civil engineer, upon his having complied with the provisions of chapter 120 of the revised statutes, to obtain letters patent for his invention of improvements in the manufacture of malleable or bar iron and steel, notwithstanding his residing out of this province, to the same extent in every respect as if he had been an inhabitant of the province, and had resided therein for one year previous to such application being made, and after such letters patent are obtained he shall be entitled to all the rights and privileges by such acts conferred.

2. The affidavit required by said chapter may be made by said Henry Bessemer, or his duly authorised agent, before a judge of the court of record, and shall have reference to the letters patent granted to him in England; provided always that such patent right shall cease if the said Henry Bessemer or his assigns do not introduce such improved manufacture into this province within three years after the passing of this act.

H. Bessemer may obtain letters patent notwithstanding his residing without the province.

Affidavit—how made.

Proviso.

CHAPTER 73.

An Act to enable Eliakem E. Tupper to obtain Letters Patent for the invention of a Machine for the manufacturing of Shingles.

(Passed the 1st day of May, A. D. 1857.)

SECTION—Eliakim E. Tupper may obtain letters patent notwithstanding his residence without the province.

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

1. It shall be lawful for Eliakem E. Tupper, upon his having complied with the provisions of chapter 120 of the revised statutes "Of patents for useful inventions," to obtain letters patent for the invention of a machine for the manufacturing of shingles, notwithstanding his residing out of the province to the same extent in every respect as if he had been

Eliakem E. Tupper may obtain letters patent notwithstanding his residence without the province.

an inhabitant thereof, and had resided therein for one year previous to such application being made; and after such letters patent are obtained he shall be entitled to all the rights and privileges by such act conferred.

CHAPTER 74.

An Act to naturalize Seth Kimbal, Charles Lewis, John Schulte, and Frederick G. D'Utassy, James Farnham, and Henry Hesslein.

(Passed the 13th day of April. A. D. 1857.)

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

1. Seth Kimbal of Middle River, in the county of Victoria, yeoman; Charles Lewis of Halifax, master mariner; the rev. John Shulte, Roman catholic clergyman, residing at Antigonishe; and Frederick George D'Utassy of Halifax, professor of modern languages; James Farnham of Truro, miller; and Henry Hesslein of Halifax, innkeeper, as soon as they shall respectively take and subscribe the oath of alligance to her Majesty Queen Victoria and her successors in manner prescribed by chapter thirty two of the revised statutes, shall, within the limits of this province, become naturalized subjects of her Majesty, entitled to all the rights of such subjects as fully as the same can be conferred under or by virtue of the act of the imperial parliament, passed in the tenth and eleventh years of her Majesty's reign, entitled, "an act for the naturalization of aliens."

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