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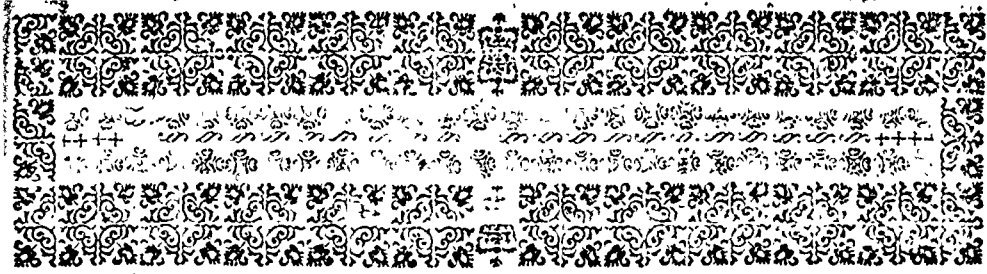
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At the GENERAL-ASSEMBLY of the Province of *Nova-Scotia*, begun and holden at *Halifax*, on Tuesday the 4<sup>th</sup> Day of *December*, 1759, in the 33<sup>d</sup> Year of His Majesty's Reign, and there continued by several Prorogations until Monday the 8<sup>th</sup> Day of *September*, 1760. in the 34<sup>th</sup> Year of His Majesty's Reign.

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# A N A C T

For the making perpetual an Act made and passed in the 32d Year of His Majesty's Reign, intituled, *An Act to prevent the Sale of Slop-Cloathing, and for punishing the Concealers and Harbourers of Seamen or Marines deserting from the Royal-Navy.*

*W*HEREAS the said Act was made only to continue and be in force until the End of this present War; and whereas the said Law has been found to be very useful and beneficial to the Public;

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Be it therefore enacted by His Excellency the Governour, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the said Act to prevent the Sale of Ship Cloathing, and for punishing the Concealers and Harbourers of Seamen and Marines deserting from the Royal Navy, shall be, and the same is hereby made perpetual, any Proviso or Limitation in the said Act notwithstanding.



*An Act for the ascertaining Damages on protested Bills of Exchange.*

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 E it enacted by his Excellency the Governour, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the Second Day of October, One Thousand Seven Hundred and Sixty, all Bills of Exchange drawn from and after said Time, by Persons residing within this Province, upon Persons in Europe that may be sent back protested, shall be subject to Ten per Cent Damages, and Six per Cent per Annum Interest, from the Day of the Date of the Protest on said Bill, to the Time of Payment.

And be it also enacted by the Authority aforesaid, That all Bills of Exchange drawn by Persons residing within the Province, after said Time, on Persons in the other Colonies, and sent back protested, shall be subject to Five per Cent Damages, and Six per Cent per Annum Interest, from the Day of the Date of the Protest to the Time of Payment.

And be it further enacted by the Authority aforesaid, That all Bills and Orders drawn from and after the said Second Day of October next, by Persons residing within the Province on Persons living or residing in the same, that shall be protested, shall be subject to Six per Cent Interest from the Date of the Protest to the Time of Payment.



An Act to explain an Act made and passed in the 33d Year of His Majesty's Reign, intituled, *An Act to enable Proprietors to divide their Lands held in common and undivided.*

HERE AS in the second Clause of the said Act it is set forth, That at the first Meets g of the Proprietors of any common Lands, the said Proprietors shall agree upon and appoint any other Way and Method of calling and summoning Meetings for the future, as shall be most suitable and convenient to the Proprietors: And Whereas some Doubts have arisen, whether such subsequent Meetings should be within the County or Township where such Lands lie, or without?

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It is hereby enacted and declared by his Excellency the Governor, Council and Assembly, That it was and is the Intention of the Legislature, that all Meetings of Proprietors relating to the Division of Lands; or any other matter relative thereto, shall be held within the County where such Lands lie, unless such Meeting shall be agreed to be held in any other County in the Province, by a Majority of the Proprietors Resident in the same.

An Act in Amendment of an Act, intituled, *An Act for confirming Titles to Lands and Quieting Possessions.*

HERE AS some Inconveniences have already and frequently may arise to the Purchasers of Lands in this Province, from the Difficultys of producing, before the Register or his Deputy, one of the Witnesses to the Execution of any Deed or Conveyance brought by them to be registred, either from such Deed or Conveyance having been executed in Great-Britain or Ireland, or in some of His Majesty's Colonies or Plantations distant from this Province, in the Presence of Witnesses resident there, who cannot be produced before the said Register or his Deputy, to prove the Execution thereof on Oath, thereby preventing the due Registring of such Deed or Conveyance, agreeable to the Directions of an Act made and passed by the Governor, Council, and Assembly of this Province, in the 32d Year of His Majesty's Reign, intit'd, An Act for confirming Titles to Lands and quieting Possessions: For Remedy where-

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of be it therefore enacted by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That from and after the Publication hereof, the Register of Deeds and Conveyances in this Province, or his Deputy, shall and may duly register, as directed by the aforesaid Act, all such Deeds and Conveyances of Lands in this Province, as shall have been made and executed in *Great-Britain* or *Ireland*, or in any of His Majesty's Colonies or Plantations, distant from this Province, (tho' one of the Witnesses thereto should not come before him or his Deputy, to prove the same as directed by the said Act) *Provided* the Execution thereof shall appear to him, either to have been properly acknowledged by the Grantor himself named in such Deed or Conveyance, or be proved by the Oath of one the subscribing Witnesses thereto, before some or one of His Majesty's Justices of the Peace of the Place where such Deed or Conveyance shall have been executed, and duly attested by him; and such Attestation being also authenticated (if in the *Plantations*) under the Hand and Seal of the Governor, Lieutenant Governor, or Commander in Chief of the Province, where the same shall be made, or of a *Public Notary* there residing; and if in *Great-Britain*, or *Ireland*, under the public Seal of some *Corporation* there, or by the Attestation and Certificate of some *Notary Publick* lawfully constituted, resident there, certifying that such Person so subscribing as a Justice of the Peace is really so, and that all Faith and Credit ought to be given to his Attestations.



An Act for further continuing of an Act intituled,  
*An Act for the reviving and putting in full force  
 several of the Resolutions or Acts of His Majesty's  
 Governors and Council of this Province,  
 heretofore made.*

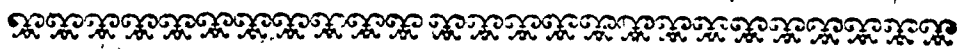
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HEREAS a Resolution by the Governor and Council, intituled:  
 " An Act that any Person or Persons stealing *Cordwood*,  
 " *Timber*, or *Materials* for *Building*, from the *Wharves* in  
 " *Town*, or the *Beach*, shall be compelled to restore *Four-*  
 " *fold*, made the *14th* of *January* 1750, and amended and  
 " explained by a Resolution made the *29th* of *April*, 1751." And a Reso-  
 " lution intituled, " An Act, that all the *Flour* imported into the Pro-  
 " vince should be sold by *Weight*, made the *6th* of *March*, 1752:"  
 And a Resolution intituled, " An Act for the preventing and extin-  
 " guishing *Fires*, made the *29th* of *September*, 1752:" And a Reso-  
 " lution intituled, " An Act for the Relief of *Debtors*, with Regard to  
 " the *Imprisonment* of their Persons, made the *6th* of *December*, 1752:"

And

And a Resolution intituled, " An Act that the Proprietors of Lotts of Land should fence in their Proportion or Quota of said Lands, or be subject to an Action on the Case on the failure of the same, made the 22d of December, 1752 : " And a Resolution intituled, " An Act to prevent the destroying or stealing Fences within the Peninsula of Halifax, Town of Dartmouth, and other Lotts situate in and upon the Harbour of Halifax and Bedford-Bay, made the 26th of March : " 1753. And a Resolution intituled, " An Act to prohibit the taking away or destroying the Buoys laid down in this Harbour for the Benefit of Navigation, made the 23d of April, 1753 : " And a Resolution intituled, " An Act to prevent the Exportation of unmerchanted Fish, Lumber, &c. and to regulate the Assize of Casks, and for appointing Gaugers, Surveyors, and Cullers, made the 24th of October, 1754 : " And a Resolution intituled, " An Act to prevent Frauds and Abuses in the Sale of Casks of Pork and Beef, made the 14th of April, 1755 " ; Were severally enacted, to continue and be in Force for Two Years from the Second Day of October, 1758. And until the End of the Session of the said General-Assembly then next after : *And whereas it is necessary that the Confirmation of the said Resolutions, should be continued for a further Time, Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted,* That the said Confirmation of the said Resolutions, be and the same is hereby continued for One Year from the Second Day of October next, and from thence to the End of the then next Sessions of the General-Assembly.

*And Whereas the Resolutions of the 14th January, 1755, and of the 29th of April following; and the Resolution of the 26th of March, 1753, before recited, Extend only to the Town of Halifax and the Peninsula: Be it enacted by the Authority aforesaid, That the said Resolutions be in Force and Extend, for the Time abovementioned, throughout the whole Province.*



*An Act in Amendment of an Act intituled, an Act for the better Observation and Keeping of the Lord's Day.*

*Be it enacted by his Excellency the Governor, Council and Assembly, and by the authority of the same it is hereby enacted, That in order that all Persons may, on the LORDS-DAY, apply themselves to Duties of Religion and Piety, both publicly and privately, That no Tradesman, Warehouse-Keeper, Shop-Keeper, or other Person whatsoever shall, for the future, open his, her, or their Shop or Warehouse; or either by himself or herself, or by his or her Servant or Servants, Child or Children, sell, expose or offer to Sale, upon*

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any Bulk, Stall, or Shed, or send or carry out, any manner of Goods or Merchandize, on the LORD'S DAY or any Part thereof. *Provided nevertheless* that this Act shall not extend to prohibit any Persons from selling or exp<sup>o</sup>sing to Sale, *Milk and Fresh-Fish*, before the Hour of *Nine* of the Clock in the Morning, and after *Five* of the Clock in the Afternoon, on the said Day.

*And be it further enacted by the Authority aforesaid*, That no Person whatsoever for the future, shall do or exercise any Labour, Work, or Business, of his or their ordinary Callings, or other worldly Labour, or suffer the same to be done, by his or their Servant or Servants, Child or Children, either by Land or by Water, (Works of Necessity and Charity only excepted) or use or suffer to be used any Sport, Game, Play, or Pastime, on the *Lord's Day*, or any Part thereof; upon Pain, that every Person or Persons, so offending in any of the Particulars beforementioned, upon Conviction thereof upon the Oath of *One* credible Witness, before any *One* of His Majesty's Justices of the Peace of this Province, or upon View of any Justice of the Peace, for every such Offence shall forfeit, and pay the Sum of *Ten Shillings*.

*And be it further enacted by the Authority aforesaid*, That no Tavern-keeper, Retailer of Spirituous Liquors, Vintner, or other Person keeping a public House of Entertainment within this Province, shall, for the future on any Pretence whatsoever, entertain or suffer any of the Inhabitants or Town Dwellers of *Hanifax*, or any of the Towns respectively, where such Tavern-keepers, Retailers of Spirituous Liquors, Vintners, or other Persons keeping public Houses of Entertainment, respectively dwell, or others not being Strangers or Lodgers in such Houses, or such as come thither for necessary dieting and victualling only, to abide or remain in their dwelling Houses, Out-houses, or Yards, drinking or idly spending their Time on the *Lord's Day*; but shall keep their Doors shut during the Time of divine Service, on Penalty of forfeiting and paying the Sum of *Ten Shillings*, for every Person and Persons respectively so found drinking or abiding in such public Houses or Dependencies thereof as aforesaid; and every such Person or Persons, who shall be found so drinking or abiding in any such public House or Dependencies thereof as aforesaid, shall respectively forfeit and pay the Sum of *Five Shillings*.

*And be it further enacted*, That the Church Wardens and the Constables, or any one or more of them, shall once in the Forenoon, and once in the Afternoon, in the Time of divine Service, walk through the Town to observe and suppress all Disorders, and apprehend all Offenders whatsoever contrary to the true Intent and meaning of this Act: And they are thereby authorized and impowered to enter into any public House of Entertainment, to search for any such Offenders, and, in Case they are denied Entrance, they are hereby impowered to break open, or cause to be broke open, any of the Doors of the said House, and enter therein; and all Persons whatsoever are strictly required and commanded to be aiding and assisting to any Constables or other Officers in their Execution of this Act, on the Penalty of *Ten Shillings* Current Money for every Neglect.

*And*

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, being of the Age of Twelve Years or upwards, being able of Body, and not otherwise necessarily prevented by real Sickneſs, or other unavoidable Neceſſity, ſhall for the Space of Three Months together, abſent himſelf or herſelf from the public Worſhip on the Lord's Day, ſhall be ſubject to a Fine, that is to ſay, for every Head of a Family Ten Shillings, and for every Child or Servant Five Shillings, to be recovered, upon Complaint before any One of His Ma- jeſty's Juſtices of the Peace, who is hereby impowered to cauſe the ſame to be levied.

All Fines and Penalties incurred by this Act are to be to the Uſe of the Poor of the Town where ſuch Offence is committed; and the Juſtice and Juſtices before whom any Perſon or Perſons ſhall be convicted of offending againſt this Act, are required to make a Record thereof, in a Book to be kept by him or them.

Provided, That no Perſon ſhall be proſecuted for any Offence before- mentioned, unleſs they be proſecuted for the ſame within Ten Days after the Offence committed.

And be it further enacted, That every Juſtice of the Peace ſhall have full Power and Authority, either upon his own View, or other legal Conviction, of any Offender or Offenders againſt this Act, or any Part thereof, to levy the Penalties herein before reſpectively mentioned, in Caſe the ſame ſhall not, upon ſuch Conviction, be paid by the Offender or Offenders, by diſtreſs and Sale of the Offender or Offenders Goods and Chattels with Coſts; and in Default of Diſtreſs, to commit ſuch Offender or Offenders to the common Gaol of the County, there to remain in cloſe Confinement for a Time not exceeding Forty-eight Hours, nor leſs than Twenty-four Hours.

And be it further enacted, That this Act ſhall be publicly read Four Times in every Year, viz. At the opening of every Court of General Sessions of the Peace, immediately after the Grand Jury are ſworn: And alſo twice every Year, viz. On every Firſt Sunday of December, and on every Firſt Sunday in June, in all public Places of Worſhip within this Province, immediately after divine Service.





An Act in Amendment of an Act, made and passed in *General-Assembly*, at the Session begun and holden at *Halifax*, on the *Second Day* of *October*, 1758. Intituled, *An Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.*

WHEREAS by an Act made and passed in GENERAL-ASSEMBLY, at the Session begun and holden at Halifax, on the Second Day of October, 1758. Intituled, "An Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates:" It is amongst other Matters a'cted, "That in Case that Personal Assets shall be deficient for the Payment of any Debts or Legacies, and it shall be found necessary by any Executor or Administrator, to make Sale of any Part of the Real Estate of the Deceased for the Payment of any Debts or Legacies, such Executor or Administrator shall apply to the General-Assembly, to grant a Licence for the Sale of such Part of such Real Estate, as may be most convenient, for the Payment of such Debts or Legacies; and before any Sale be made of any Real Estate, the Executor or Administrator shall give *Thirty Days* public Notice, by posting up Notifications in the most public Places, in the Town where the deceased Person last dwelt, and in the Public Prints, if any such there be; and whoever will give most shall have the Preference in such Sale: And in Case the Estate of such Intestate shall be insolvent, the Executor or Administrator shall make like Application to the General-Assembly for an Inquiry, and for the Appointment of Commissioners to enquire into such Insolvency, and to examine and settle the Claims of all Creditors, and the Amount of the Estate of such Insolvent, and to Authorize such Executor or Administrator to sell all the Lands and Tenements of such Insolvent, and to divide the Produce of the Whole of such Estate, in due Proportion to and among the Creditors."

*And Whereas Inconveniencies have already arisen, and may hereafter arise by the Delays hereby necessarily occasioned, during Intermittions of the Convention of the General-Assembly.*

*Be it therefore enacted, by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That all such Applications as by the before recited Clause of the said Act, are to be made by any Executor or Administrator to the General-Assembly, shall,*

shall, from and after the Publication hereof, be made to the Governor or Commander in Chief for the Time being, and His Majesty's Council of this Province, who are hereby authorized and impowered to take Cognizance thereof, and to proceed thereon in like Manner, as by the before recited Clause of the said Act, should have been done by the General-Assembly.

And be it further enacted, That every Executor or Administrator, who may, by Virtue of this Act, be authorized and impowered to make Sale of any Real Estate, shall, before such Sale made, give Bond by himself or his lawful Attorney, with two Sureties, at the Office of the Register of the Court of Probates, in the County where such Real Estate shall lie, for the just and legal Distribution of the Monies arising from such Sale, in the full Value which, by the Report of the Commissioners for that Purpose appointed, shall be certified to be necessary to be raised by such Sale.

And be it further enacted by the Authority aforesaid, That all Lands, Tenements, or Hereditaments, sold by any Executor or Administrator by Virtue of this Act, shall become the absolute and undoubted Right and Property of the Purchaser or Purchasers thereof, from and after the Time of such Sale.



*An Act for Establishing a Public Market at the Market-House in Halifax, and for regulating the same.*

Be it enacted by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted  
 B That the Market-House newly erected in the Town of Halifax, shall be open on Mondays, Tuesdays, Wednesdays, Thursdays, and Frydays, from Sun rise to One o'Clock in the Afternoon, and on Saturdays from Sun-rise to Ten o'Clock at Night, for the Reception of all kinds of Butchers Meat, Poultry both alive and dead, Roots, Greens, Fruits, and other Vegetables, which may be brought for public Sale therein. The First Market-Day to be held on Monday the Thirtieth Day of October next ensuing, and so to continue in manner aforesaid.

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And be it further enacted by the Authority aforesaid, That a proper Person shall be appointed by the Governor or Commander in Chief, to be Keeper of the said Market-House, who shall open and shut the same, at the Times herein appointed, and cause it to be kept clean, sweet, and in good Order: And the said Keeper is hereby impowered to let the

*Stalls, and to sue for, recover, and receive, from the Persons who shall occupy the same, the Monies arising from the Rents, agreeable to the several Rates herein after mentioned; which Monies he shall account for upon Oath, and pay to the Treasurer of the Province once every Three Months, and for his Services in this Office he shall receive a Salary not exceeding Forty Pounds per Annum.*

*And whereas Disputes and Controversies do often arise in public Markets, which end in Quarrels and Frays; for preventing, whereof as much as possible, Be it enacted by the Authority aforesaid, That the said Keeper of the Market-House shall be invested with all the Power and Authority of a Constable, in all Matters relative to the keeping Peace and Order in the said Market; and shall accordingly be sworn into that Office, before any Two of His Majesty's Justices of the Peace, or at the next General Sessions of the Peace for the County of Halifax, after his Appointment.*

*And be it further enacted, That every Person who shall hire One of said Stalls by the Quarter or any longer Time, shall pay Quarterly, to the Keeper at the Rate of Eight Pounds per Annum for the same; and those who shall hire any of the said Stalls for a shorter Space of time, shall pay at the Rate of One Shilling and Six Pence per Day to the said Keeper: But live Poultry, Fruits, Greens, and other Vegetables, shall be exposed to Sale on the Benches under the Piazza, Rent free.*

*And be it further enacted, That the Persons exposing to Sale any Butchers Meat, Poultry, alive or dead, Roots, Greens, Fruit, or other Vegetables, as well within the said Market-House, as without under the Piazza, shall constantly keep the same clean, sweet, and in good Order, to the Satisfaction of the said Keeper, on Penalty of forfeiting to the said Keeper the sum of Two Shillings and Six Pence for each and every Neglect; and the said Keeper is hereby empowered immediately to demand the same, and in Case of Refusal, the same shall be levied by Warrant of Distress from any One Justice of the Peace, with Costs.*

*And also be it enacted, That if any Person shall sell or expose to Sale, any of the beforementioned Commodities within the Town or Peninsula of Halifax, or on board of any Vessels in the Harbour thereof, until such Commodities shall have been first carried to the Market House, and there publickly exposed to Sale on a Market-Day, during the Market Hours; or if any Person or Persons whatsoever shall presume to sell or expose to Sale, on board of any Vessel in the Harbour, or in any Shop, or Stall within the Town and Suburbs of Halifax, (other than in the said Market-House) any Butchers Meat or other the Commodities above-mentioned, during the Market Hours herein before appointed; he shall forfeit a Sum, not exceeding Five Pounds, for every such Offence; to be sued for and recovered before any Two of His Majesty's Justices of the Peace for the said County: One Moiety to be paid by the said Justices to the Treasurer of the Province, for the Uses of the Government, and the other Moiety to the Person or Persons, who shall inform, and sue for the same.*

*Provided*

*Provided always,* That nothing in this Act contained, shall debar the Agents or Contractors for Victualling His Majesty's Ships, and the Army, to import the necessary Provisions for fulfilling their respective Orders or Contracts, without exposing them to public Sale, as is herein before directed.

*And be it further enacted,* That all the Monies arising from the Rents of the said Market-House, over and above the Keeper's Salary, shall be applied to the keeping the said Market-House in proper Repair, under the Inspection of the Clerks of the Market for the Time being; and the Surplusage, if any be, is hereby granted to His Majesty, and shall remain in the Hands of the said Treasurer, to be applied in the first Place, for building a public Slaughter House, and thereafter for the Uses of the Town of Halifax only.

### *An Act for appointing Commissioners of Sewers.*

*WHEREAS* great Quantities of Marsh, Meadows, and low Grounds, in this Province, and particularly in the Bay of Fundy, and Rivers, Bays and Creeks, branching therefrom, are spoiled by overflowing of the Sea, and other Waters; which by Industry may be greatly improved, as well for the General Good, as for the Benefit and Profit of the Owners; and also much Meadow and Pasture Land might be gained out of Swamps, and other rough and unprofitable Grounds by drowning and draining the same: To the Intent therefore, that the new Settlers and other Proprietors of such Marshes, Meadows, and low Grounds, may be encouraged and enabled to raise Dykes, and remove such Obstructions as prevent these Lands from being immediately useful.

*Be it enacted,* by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That it shall be in the Power of the Governor or Commander in Chief, with the Advice of His Majesty's Council, upon Request of any of the Proprietors of such Lands, to grant *Commissions of Sewers*, to such and so many able and discreet Persons, as to them shall seem meet, for the building and repairing such Dykes and Wares as are necessary to prevent Inundations; and also for the damming and flowing of Swamps, and other unprofitable Grounds, and draining of them: By which *Commissions* the said *Commissioners* shall be empowered to meet and convene together from Time to Time as Occasion may require, to view, consider, consult, and contrive such Ways and Methods for building and repairing such Dykes and Wares, as are necessary to prevent Inundations, and for the drowning and draining of Swamps, and other unprofitable Grounds; and to employ Workmen and Labourers, for such reasonable Wages as may be agreed on,

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on, for the effecting the Premises; and from Time to Time to assess and Tax all such Persons as may or shall be Owners of such Meadows, Marshes, or such unprofitable Swamps and Lands as aforesaid, towards the Charge thereof, having Regard to each Person's Quantity of Land and Benefits to be received thereby, as equally, according to their best Judgment, as they can; and also to appoint and swear a Collector or Collectors for the Collecting, gathering, and paying the same, to such Persons as by the said *Commissioners* shall be appointed to receive it; with Powers to distrain all such Persons as shall neglect or refuse to make Payment of his, her, or their Parts or Proportions, set and assessed as aforesaid, in such manner as is usually done in the like Cases; and to call before themselves the said Collector or Collectors, to account for his or their Trusts with Reference to the Premises; and likewise to value such Repairs as may have been made to the said Wares and Dykes, by the present Setlers before the Date of their said *Commissions*, and to Proportion an Assessment for Payment of the same by those who have been or may be benefited thereby, in the same manner as if such Repairs had been made by their own Order, in Virtue of their said *Commissions*.

*And be it further enacted by the Authority aforesaid*, That the said *Commissioners* shall be sworn for the faithful Discharge of their Trust, and shall receive such Salaries out of the said Assessments, for their Time and Expences touching the Premises, as the *Governor and Council* shall appoint, unto whom the said *Commissioners* shall be accountable, when they shall be thereto required.

*And be it also further enacted by the Authority aforesaid*, That in Case it shall so happen, that any Proprietor of any such Lands, Marshes, or Meadows, to be dyked and drained as aforesaid, shall be unable, or other wise neglect to pay his, her, or their Part or Proportion of the said Rates or Assessments, it shall and may be lawful to and for the other Proprietors concerned therein, to pay the said Assessments, and to hold the said Lands and Meadows so long until the Rates and Profits to be received of those Lands may reimburse them, and the *Commissioners* aforesaid shall determine the Time how long.

*Provided always*, That any Person thinking himself aggrieved at any Procedure had or made by the said *Commissioners*, or any other in Pursuance of this Act, may appeal therefrom to the *Governor and Council*, for Relief, who are hereby impowered to order the Possession of all such Lands as are held for Payment of the Assessments beforementioned, to be restored to the Proprietor, on Proof before them, that the said Assessments have been received out of the Profits of the same.



An Act for further prolonging an Act, made and passed in the 32<sup>d</sup> Year of His Majesty's Reign, intituled, *An Act for granting to His Majesty an Excise upon Wine, Rum, and other distilled Spirituous Liquors sold by Retail*; as also of an Act, intituled, *An Act for the better discovering and more effectually suppressing unlicenced Houses.*

W HEREAS the granting Bounties and Premiums, has greatly promoted and encouraged Labour and Industry in this Province; and WHEREAS it has been thought expedient to continue Sundry of them for a further Space of Time. In Order therefore to etial in a Fund for the Payment of the said Bounties and Premiums, Be it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Act made and passed in the 32<sup>d</sup> Year of His Majesty's Reign, intituled, "An Act for granting to His Majesty an Excise upon Wine, Rum, and other distilled Spirituous Liquors sold by Retail;" as also an Act, intituled, "An Act for the better discovering and more effectual suppressing unlicenced Houses," together with the Act made and passed in the 33<sup>d</sup> Year of His Majesty's Reign, intituled, *An Act in Addition to and Amendment of, and for further prolonging the said above recited Acts*, be and are hereby prolonged, continued, and be in Force for and during the Space of Seven Years, from and after the First Day of February, 1764, and until the End of the First Session of the General Assembly next following.

Cap. 10

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*An Act for encouraging the Improvement of Lands  
in the Peninsula of Halifax, and further quiet-  
ing of Possessions.*

**W**HEREAS great Inconveniences and Prejudices have arisen, on Account of not improving the Lands on the Peninsula of Halifax: And Whereas by the absence of several Grantees, and the Neglect and Death of others, many of the Lands lie waste.

In Order therefore to encourage the Improvement of the Lands within the said Peninsula, Be it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That in all Cases where the Grantees of Lands within the said Peninsula, have been Absent from the Province, or have lived therein, for the Space of Seven Years, and no Improvement made thereon for that Time: And likewise in such Cases where any Grantees of Lands are Dead, and no Persons in Right of such Grantees have claimed said Lands; it shall and may be lawful, upon an Inquest of Office, on the Oaths of Twelve Men sworn for that Purpose, held before the Commissioner of Escheats and Forfeitures, according to the Commission to him granted, and duly returned into the Office of Register of the Court of Chancery, for the Governor or Commander in Chief for the Time being, with the Advice and Consent of His Majesty's Council, to make Grants and Conveyances of such Lands so returned, which Grants and Conveyances shall be good, valid, and effectual, to all Intents and Purposes whatsoever.

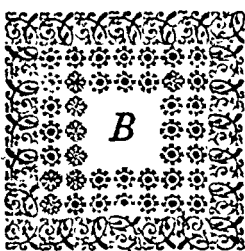
Provided, That it shall and may be lawful, for all Persons interested or intitled to such Lands as are comprized in said Office, to traverse the same, within Twelve Months from the Date of such Inquest, And if the said Office shall not be traversed within said Time, the Grant of said Lands, by Virtue of such Inquest, by the Governor or Commander in Chief with Advice as aforesaid, shall be absolute according to the Form and Effect of such Grant.

And whereas it may be doubtfull, whether the Registry of Lots of Land (granted simply as Lots without any formal Conveyance under the Seal of the Province) within the said Peninsula of Halifax, or elsewhere in this Province, import a Conveyance in Fee Simple to the Persons in whose Names the same are registered: For the quieting such Persons in their Possessions,

Be it enacted, by the Authority aforesaid, That all and every Person, having a Right to claim by Virtue of such Registry, (excepting the Persons Absent or neglecting to improve as aforesaid) shall be intitled to a full and absolute Estate in *Fee Simple*, in the Lands so registred, any want of Form in the-said Registry notwithstanding.



*An Act* for continuing an Act, intituled, “ An Act for confirming the past Proceedings of the Courts of Judicature, and for regulating the further Proceedings of the same.” And also, *An Act* in Addition to, and Explanation of an Act, intituled, *An Act for confirming the past Proceedings of the Courts of Judicature, and for regulating the further Proceedings of the same.*



Be it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That an Act, intituled, “ An Act for confirming the past Proceedings of the Courts of Judicature, and for regulating the further Proceedings of the same:” And also, “ An Act in Addition to, and Explanation of an Act, intituled, *An Act for confirming the past Proceedings of the Courts of Judicature, and for regulating the further Proceedings of the same;* shall be and the same are hereby continued for *One Year*, from the Second Day of October, 1760, and from thence to the End of the then next Sessions of the General Assembly.

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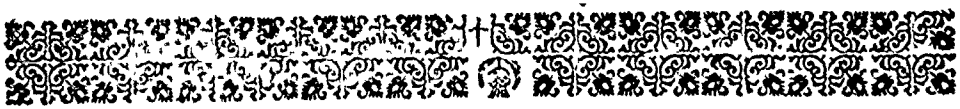


*An Act for granting and establishing an Allowance to the Collector or Collectors of the Impost and Excise Duties.*

*Be it enacted by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted That out of the Money arising from the Duties on Impost and Excise, from and after the Twentieth Day of December next, his Excellency the Governor, or Commander in Chief of the Province, for the Time being, shall be and is hereby empowered, to grant and allow unto any Collector or Collectors of such Duties on the Impost and Excise, who may be from Time to Time appointed by such Governor or Commander in Chief, for all the Expence, Charges, and Trouble of such Collector or Collectors, and of any Officers to be by such Collector or Collectors appointed for assisting such Collector or Collectors, any Sum not exceeding Seven Pounds Ten Shillings for each Hundred Pounds, that may be collected of such Impost and Excise Duties; and that the said Grant and Allowance of Seven Pounds Ten Shillings the Hundred, shall be in full of all Claims, Expences, Charges, and Demands whatsoever, for or on Account of collecting such Impost and Excise Duties as aforesaid.*

*Provided, That before such Collector of Impost shall enter upon his said Office, he shall give such Security and take the like Oaths, as are directed for the Collector of Excise, by an Act intitled, An Act for granting unto His Majesty an Excise upon Wine, Rum, and other distilled Spirituous Liquors sold by Retail.*

*And be it further enacted, That this Act shall continue and be in Force for the Term and Space of One Year, from and after the said Twentieth Day of December next, and until the End of the Session of the General Assembly then next following.*



*An Act in Amendment of an Act, intituled, An Act relating to Treasons and Felonies.*

*W* Hereas by an Act intituled, An Act relating to Treasons and Felonies, it is amongst other Matters enacted, "That if any Person or Persons indicted of any Offence, for which they are excluded from the Benefit of Clergy, or of the said Act, shall challenge peremptorily above Twenty of the Jury, Judgment shall be pronounced and Execution awarded against such Person or Persons, as if such Person or Persons, had been convicted of such Offence by Verdict or Conviction." And Whereas it will be more agreeable to the common Course of Justice, to allow the Benefit of Defence and Trial, Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That in all Cases where any Prisoner shall challenge peremptorily above Twenty of the Jury, such Challenge shall be over ruled, and the Jurors shall be sworn for the Trial of such Prisoner, as if no such Challenge had been peremptorily made.

Cap. 14



*An Act in Addition to and Amendment of an Act, intituled, An Act for the better and more effectual Establishment of the Church of England in this Province.*

*W* Hereas great Detriment and Inconvenience may arise to the Ministers of Saint Paul's Church in the Town of Halifax, as well as to the Ministers of Churches, which may be hereafter established within this Province, for Want of sufficient Power to sue and recover from the Church Wardens, such Sum or Sums of Money, as they may have received from Time to Time, for the Use of said Ministers; Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the said Ministers shall be and are hereby empowered to sue for and recover from the said Church Wardens, all such Sums, as they may have received, or shall neglect to Sue for and recover, for the Use and Benefit of said Ministers.

Cap. 15



An Act for continuing an Act, intitl'd *An Act to prevent any private Trade or Commerce with the Indians.*

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**W**HEREAS the Measures proposed by the Act, intitl'd, " An Act to prevent any private Trade or Commerce with the Indians," are found to be of great Use, in keeping up a freindly Correspondence and Intercourse with the Indians; it is therefore thought that the Continuing the said Act will greatly tend to the Good of His Majesty's Service, and to the Advantage of His Subjects in this Province And Whereas the said Act is only continued and to be in Force for the Term and Space of two Years, from and after the 21st Day of May, 1760.

Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the said Act, intitl'd, " An Act to prevent any private Trade or Commerce with the Indians," be and is hereby made perpetual, any Matter or Thing in the said Act contained to the contrary notwithstanding.



An Act for regulating the Common belonging to the Township of Lunenburg.

17.

**W**HEREAS his Excellency the Governor has granted and set a part, a Tract of Land lying in the Peninsula of Lunenburg, to serve as a Common for the Inhabitants of said Town; And Whereas it is necessary, That some Regulations should be made by proper Persons, for the common Benefit of the said Inhabitants from Time to Time, as their Situation and Circumstances may require.

Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Justices in their Quarter Sessions, to be next held in March for the said Town and County, shall give it in Charge to the Grand Jury then and there summoned, to affix and settle such Regulations, as they may think most proper and convenient to be observed and followed by the Inhabitants of Lunenburg; to continue for One Year, from such Session; and such Regulations as shall be approved of by the Justices of said Sessions, shall be and are

are hereby declared to be the stated Rules, to be kept, observed, and followed with Relation to the said *Common*, by the aforesaid Inhabitants, for and during the Space aforesaid.

*And be it further enacted*, That the said Justices shall, in the like manner at their *Annual Sessions*, thereafter to be held in *March*, proceed and give in Charge to the *Grand Jury* in manner aforesaid, and settle and approve of such Rules and Regulations for the said *Common*, to serve for the Year then next ensuing, as to them shall appear most proper and convenient.

*And be it also further enacted*, That the said Justices shall be, and are hereby impowered to settle, and appoint such Pains and Penalties, to be inflicted upon the Person or Persons, who shall neglect or refuse to obey the Rules and Regulations so to be settled, at the said *annual Sessions* of the Peace, as to them shall appear to be just and equitable.

*Provided*, That such Pains or Penalties to be inflicted, shall not exceed the Sum of *Forty Shillings each*.



## An Act for building a publick *Slaughter House* in the Town *Halifax*, and for regulating the same.

*Whereas* the killing of Cattle, Swine, and Sheep, within the Town of *Halifax*, by the Butchers at their Houses and Shops, is become a public Nuisance, occasioned by the Dung and Garbage being thrown into the Streets.

*Be it therefore enacted*, by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That there shall be erected and build a Slaughter House upon the Beach, set apart for that Purpose by his Excellency; which House, when built, shall be for the Publick Use of all People, who may have Cattle to kill for Sale at the public Market only; and his Excellency the Governor or Commander in Chief for the Time being, is hereby impowered to cause the said Slaughter House to be built, and of such Demensions as to him shall appear to be of sufficient Extent, Usefulness, and Conveniency for the Purposes aforesaid.

*And be it further enacted*, That as soon as the said Slaughter House is finished, which shall be made Public, no Cattle, Swine, or Sheep of any Kind, shall be killed within the Town and Suburbs of *Halifax* for public Sale, excepting at the said Slaughter House: And all Persons acting contrary thereunto, shall forfeit and pay a Sum not exceeding *Twenty*

*Twenty Shillings* for every Beast so killed, to be levied by any *One* of His Majesty's Justices of the Peace, upon View of the same, or recovered by the Oath of *One* credible Witness, before any *One* of His Majesty's Justices of the Peace for the said Town, for the Use of the *Poor*.

*Provided*, That nothing herein contained shall debar any Person or Persons, who have private Slaughter Houses situated upon the Water on any Wharf in the Harbour, from using their said Slaughter Houses, if upon Return made by the *Keeper* of the *Market House*, it appears at the next *Quarter Sessions* to be inoffensive to the Public.

*And be it also further enacted*, That the *Keeper* of the *Market House* shall have the Care of the said Slaughter House, and shall visit the same at least thrice a *Week*; and shall cause the Persons who make Use thereof to keep it clean and sweet, and to deprive such Persons, who shall refuse so to do, of the Use thereof until they comply therein; and shall also be impowered to Sue any Person or Persons, from whom the Building may have suffered Damage, who shall be obliged to make sufficient Repairs of such Damage to his Satisfaction.



## *An Act* for further extending of *Bounties* and *Premiums*.

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*ed.*  
**W** HEREAS the *Bounties* and *Premiums*, formerly granted have been found to be a great *Incouragement* to *Industry*, and it is thought expedient to continue such of them as are most advantageous, beyond the *Time* to which they were formerly limited.

**B** E it therefore enacted by the *Governor*, *Council*, and *Assembly*, and by the *Auth.rity* of the same it is hereby enacted, That the following *Bounties* and *Premiums* be paid by the *Treasurer* of this *Province*, out of the *Monies* already granted or that shall be granted by the *General Assembly*, by *Duties* on *Wine*, *Beer*, *Rum*, and other *Spirituos Liqueurs*, or any other *Duty* that shall be found necessary to be laid hereafter, in order to discharge the same, to the *Person* or *Persons* producing *Certificates* in manner hereafter directed, *viz.*

That the *Sum* of *Two Shillings* and *Six Pence* be paid by the *Treasurer*, for every *Rod* of good and sufficient *Stone Wall*, which may be erected on the *Peninsula* of *Halifax*, being *Sixteen* and a *half Feet* long, *Four Feet* and a *half* in-*Height*, *Three Feet* at least thick at the *Bottom*, and *One Foot* over at the *Top*; and containing not less than *Forty Rods*:

This

This Bounty to continue for the Space of Seven Years from the First of November, 1763.

That there be paid by the Treasurer the Sum of One Shilling for every Gross Hundred Weight of good Hay, which shall be cut and made within the Peninsula of Halifax: This Bounty to commence the First of November 1763, and to continue Seven Years thereafter.

That there be paid by the Treasurer One Penny for every Pound of Merchantable Hemp. That is to say, bright, well cured, and Water rotted, of Four Feet at least in Length, cleaned and twingled: And One Penny for every Pound of Merchantable Flax, fitted as aforesaid. These Bounties to continue for Three Years, from the twenty Fifth Day of March 1761.

That there be paid by the Treasurer the Sum of two Pence for each Bushel of Oats, raised within the Peninsula of Halifax and Township of Lunenburg. This Bounty to continue for the Space of two Years, from the said twenty Fifth Day of March 1761.

That there be paid by the Treasurer, two Shillings for every Gross Hundred Weight of good Hay, which shall be cut and made within the Township of Lunenburg, from Upland cleared and to be cleared by the Setlers, Garden Lots upon the Common excepted, for one Year from and after the twenty Fifth Day of March 1761: And the Sum of one Shilling for every Gross Hundred Weight of Hay, that shall be cut and made as aforesaid for the three next succeeding Years.

And be it further enacted by the Authority aforesaid, That the Person or Persons, who shall claim any of the Bounties aforesaid, or the Premiums hereafter specified, shall be obliged by himself or his Assigns, to produce to the Treasurer such Certificates as is directed by an Act made in the 32d Year of His Majesty's Reign, intituled, *An Act for granting Bounties and Premiums on the fencing and improving Lands, raising Grain, Roots, Hay, Hemp, Flax, and catching and curing of Fish*, before they shall be intituled to receive the Bounties and Premiums hereby granted.

And be it enacted, That for the further Encouragement of such Persons as shall undertake the raising of Hemp and Flax within this Province, there shall be paid by the said Treasurer over and above the beforementioned Bounties, the following Premiums, To wit,

To the Person who shall raise the greatest Quantity of Hemp or Flax, exceeding one Thousand Weight, the Sum of Ten Pounds: And to the Person who shall raise the next greatest Quantity of Hemp or Flax, exceeding Five Hundred Weight, Five Pounds: And likewise to the Person who shall raise the next greatest Quantity of Hemp or Flax exceeding Three Hundred Weight, the Sum of Three Pounds.

And be it further enacted, That all Bounties and Premiums payable by Virtue of this Act, shall be paid by the Treasurer of the Province, on or before the twenty Fifth of March Annually, or in the Space of four Months next thereafter.



An Act for further prolonging the several Acts herein after mentioned, relating to the Duties of *Impost* and *Excise*, heretofore granted by the *General-Assembly* of this Province on Wines, Beer, Rum, and other distilled Spirituous Liquors.

*ap. 20. enacted.*  
 WHEREAS the Fund arising from the several Duties of *Impost* and *Excise* on Wines, Beer, Rum, and other distilled Spirituous Liquors, granted by the *General-Assembly* of this Province, will be insufficient to answer the Payment of the Bounties and Premiums already granted, and now proposed to be granted.

Be it therefore enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Act made and passed in the 32d Year of His Majesty's Reign, intituled, "An Act for confirming the Proceedings on the several Resolutions of the Governors and Council of this Province, relating to the Duties of *Impost* on Rum and other distilled Spirituous Liquors, and enabling the late Collector or Receiver to recover the Monies unpaid for any Bonds or Notes remaining in his Hands; and for establishing and regulating several Duties of *Impost* on Wine, Beer, Rum, and other distilled Spirituous Liquors for the future:" And also an Act in Addition to and Amendment of the said Act, and for the further Continuance of the same, made and passed in the 33d Year of His Majesty's Reign; *Be* and are hereby prolonged, continued and to be in Force for and during the Space of *Seven Years*, from and after the *First Day of January 1764*, and until the End of the First Session of the *General-Assembly* then next following.

And be it also enacted by the Authority aforesaid, That the Act intituled, "An Act for laying a Duty of *Excise* of *three Pence per Gallon* on all Rum and other Spirituous Liquors distilled within this Province, and for granting a Bounty on the Exportation thereof, made and passed in the 33d Year of His Majesty's Reign," be and is hereby prolonged and continued, and to be in Force for and during the Space of *Seven Years* from and after the *fifteenth Day of January 1764*, and until the End of the first Session of the *General-Assembly* then next following.

