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J. P. Davisford

216.

1832.

Anno Secundo Gvilielmi IV.

C. I.

At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Wednesday, the Twenty-fifth day of January, 1832, in the Second Year of the reign of our Sovereign Lord **WILLIAM** the Fourth, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. &c. being the Second Session of the Fifteenth General Assembly, convened in the said Province.

In the time of Sir Peregrine Maitland, K. C. B. Lieutenant-Governor; S. S. Blowers, Chief-Justice and President of the Council; Samuel George William Archibald, Speaker of the Assembly; Sir Rupert D. George, Bart. Secretary of the Council; and John Whidden, Clerk of Assembly.

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CAP. I.

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

MAY IT PLEASE YOUR EXCELLENCY,

WE, His Majesty's dutiful and loyal Subjects, the House of Assembly of His Majesty's Province of Nova-Scotia, towards appropriating the Supplies granted to His Majesty, in this Session of the General Assembly, and for supplying the necessities of His Majesty's Government, do humbly beseech that it may be enacted, and

1. *Be it enacted by the Lieutenant-Governor, Council and Assembly, That* by or out of such Monies as now are, or from time to time shall be and remain, in the Public Treasury of this Province, there shall be paid the sum of 200l. to the Speaker of the House of Assembly, for his services during the present Session.

200l Speaker of Assembly

And a further sum of 100l. to the Solicitor-General, for his services for the present year.

100l Solicitor General

And a further sum of 600l. to the Treasurer of the Province, for his Salary, and as Comptroller and Auditor of Public Accounts, and in lieu of Office Rent, Clerks, and all other contingent expences for the same year.

600l Treasurer

And a further sum of 100l. to the Clerk of the Council in General Assembly, and as Clerk of His Majesty's Council, for his services in the same year.

100l Clerk of Council

And a further sum of 100l. to the Clerk of the House of Assembly, for his services for the present year.

100l Clerk of Assembly

And

- 30l Expences of Council And a further sum of 30l. for defraying the expences of Council in General Assembly, for the same year ; to be paid on the certificate of the President of the Council, and not otherwise.
- Excise Waiters And a further sum to be paid on the certificate of the Commissioners of the Revenue, at the rate of Seven Shillings and Six-pence per day, to such Person or Persons as shall be employed during the year aforesaid, by the Collector of Impost and Excise, for the District of Halifax, as extra Waiter or Waiters for the Port of Halifax, and Five Shillings per day to such extra Waiter or Waiters when unemployed ; and at the rate of Five Shillings per day to temporary Waiters.
- 200l Guager and Weigher And a further sum of 200l. to the Guager and Weigher, for the Collector of Impost and Excise for the District of Halifax, for his services for the present year.
- 40l Messenger to Council And a further sum of 40l. to the Messenger of the Governor, Lieutenant-Governor or Commander in Chief for the time being, and His Majesty's Council, as well in their Legislative capacity as otherwise, for the same year.
- 25l Venerable Archdeacon Willis And a further sum of 25l. to the Venerable Archdeacon Willis, D. D. for his services as Chaplain to His Majesty's Council, during the present Session.
- 25l Revd F. Uniacke And a further sum of 25l. to the Reverend Fitzgerald Uniacke, for his services as Chaplain to the House of Assembly, during the present Session.
- 40l M. Forrester And a further sum of 40l. to Matthew Forrester, for his services as Sergeant at Arms to the House of Assembly, during the present Session.
- 30l A. Boyle And a further sum of 30l. to Alexander Boyle, for his services as Assistant-Sergeant at Arms to the House of Assembly, during the present Session.
- 30l J. Gibbs And a further sum of 30l. to John Gibbs, for his services as Messenger to the House of Assembly, during the present Session.
- 45l Revenue Clerk And a further sum of 45l. to the Clerk of the Commissioners of the Revenue, for his services for the present year.
- 20l Secretary of Province And a further sum of 20l. to the Secretary of the Province, for Stationary, on account of Warrants to be drawn on the Treasury, for the present year.
- 10l Law Library And a further sum of 10l. to the Trustees of the Law Library, to be disposed of in such way as they may think proper for the advantage of the said Library.
- 222l. 4s. 5d. Attorney General And a further sum of 222l. 4s. 5d. to the Attorney-General, for his services for the present year.
- 250l Contingent expences And a further sum of 250l. to defray such contingent expences as may arise during the present year, to be drawn by Warrant from the Governor, Lieutenant-Governor, or Commander in Chief for the time being.
- 600l Transient Poor And a further sum of 600l. for the support of the Transient Poor for the present year ; to be paid to the Commissioners of the Poor at Halifax.

And a further sum of 20l. to the Person who has the care of the Gunpowder at Halifax, for his services for the present year. 20l Keeper of Gunpowder

And a further sum of 50l. to the Owners of the Packet running between Windsor and Patridge Island, to encourage the running of the said Packet between the said Places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants, for the present year. 50l Parrsborough Packet

And a further sum of 400l. to the Commissioners of the Island of Sable, for the support of that Establishment for the present year. 400l Island of Sable

And a further sum of 150l. to the Adjutant-General of the Militia, in full for his services, and the payment of his Clerk, Stationary and Postage, for the present year. 150l Adjutant-General of Militia

And a further sum of 35l. to Andrew Richardson, Guager and Weigher of the District of Halifax, in addition to his Salary for the present year. 35l A. Richardson

And a further sum of 10,000l. for the Great Roads of the Province, to be applied and expended agreeably to a Resolution passed in the House of Assembly during the present Session, on the Twenty-third day of March in the present year, and agreed to by His Majesty's Council. 10,000l Great Roads

And a further sum of 725l. for the several Roads within the District of Halifax, to be applied and expended agreeably to a Resolution passed in the House of Assembly, during the present Session, on the second day of April, in the present year, and agreed to by His Majesty's Council. 725l District of Halifax

And a further sum of 700l. for the several Roads within the District of Colchester, to be applied and expended as aforesaid. 700l District of Colchester

And a further sum of 760l. for the several Roads within the District of Pictou, to be applied and expended as aforesaid. 760l District of Pictou

And a further sum of 650l. for the several Roads within the County of Cumberland, to be applied and expended as aforesaid. 650l Connty Cumberland

And a further sum of 744l. for the several Roads within the County of Hants, to be applied and expended as aforesaid. 744l County of Hants

And a further sum of 744l. for the several Roads within the County of King's County, to be applied and expended as aforesaid. 744l County of King's County

And a further sum of 765l. for the several Roads within the County of Sydney, to be applied and expended as aforesaid. 765l County of Sydney

And a further sum of 775l. for the several Roads within the County of Annapolis, to be applied and expended as aforesaid. 775l County of Annapolis

And a further sum of 775l. for the several Roads within the County of Shelburne, to be applied and expended as aforesaid. 775l County of Shelburne

And a further sum of 712l. for the several Roads within the County of Lunenburg, to be applied and expended as aforesaid. And 712l County of Lunenburg

- 650l County of Queen's County And a further sum of 650l. for the several Roads within the County of Queen's County, to be applied and expended as aforesaid.
- 2000l County of Cape-Breton And a further sum of 2000l. for the Great Roads and Cross Roads in the County of Cape-Breton, to be applied and expended in such manner as shall be directed by His Excellency the Lieutenant-Governor or Commander in Chief for the time being.
- 753l 17s. 2d. Commissioners of LightHouses And a further sum of 753l. 17s. 2d. to the Commissioners of Light-Houses, for balance due them, as reported by the Committee of Public Accounts in the present Session.
- 378l 6s. 7½ Commissioners of Public Buildings And a further sum of 378l. 6s. 7½d. to the Commissioner of Public Buildings, to pay the Amount due as reported by the Committee of Public Accounts.
- 16l 10s. Mary Crane And a further sum of 16l. 10s. to Mary Crane, pursuant to the Prayer of her Petition.
- 50l. Bishop Fraser And a further sum of 50l. to the Right Reverend Bishop Fraser, towards the support of a School under his charge.
- 50l Rev. Simon Lawlor And a further sum of 50l. to the Reverend Simon Lawlor, to compensate that Gentleman for the care and attention bestowed by him on the Indians of Cape-Breton, and for having established and supported a School wherein their Children are instructed and educated by him.
- 25l Commis-sioners of Poor And a further sum of 25l. to the Commissioners of the Poor in Halifax, to defray the expence of continuing the School in the Poor House, for the present year, for the benefit of Orphans and Poor Children in that Establishment.
- 50l Fox Island Fisheries And a further sum of 50l. at the disposal of His Excellency the Lieutenant-Governor, to be applied for the protection of the Fox Island Fisheries, during the last season.
- 100l Relief of Indians And a further sum of 100l. at the disposal of His Excellency the Lieutenant-Governor, to be applied by him in such way as he may deem most proper for the relief of the Indians of this Province.
- 100l Rev. F. Uniacke And a further sum of 100l. to the Reverend R. Fitzgerald Uniacke, to enable him to defray the expenses incurred to support the Schools for Poor Children in the North Suburbs of the Town of Halifax.
- 400l Pictou Academy And a further sum of 400l. to the Trustees of the Pictou Academy, in aid of that Institution.
- 150l Yarmouth Academy And a further sum of 150l. to aid the Inhabitants of Yarmouth in completing the Building for, and maintaining, the Academy at that place, to be paid to the two Trustees, to be appointed by the Lieutenant-Governor or Commander in Chief, and accounted for and expended, pursuant to the prayer of the Petition of the Trustees.
- 100l Inhabi-tants of Clare And a further sum of 100l. to the Inhabitants of Clare, to be expended on the Break-water at Bartlett's Inlet, whenever it shall be certified to the satisfaction of His Excellency the Lieutenant-Governor, that the said Inhabitants have raised by subscription or otherwise, and expended on the said work 100l. in addition to former subscriptions.

And a further sum of 150l. in aid of the Breakwater at Margaree, in the County of Cape-Breton, to be drawn from the Treasury when it shall be duly certified to the Secretary of the Province that double the amount has been expended.

150l Breakwater at Margaree

And a further sum of 75l. to William Crawford, to assist him in purchasing a Telescope and Repeating Circle, for the benefit of the Commerce of this Province, the said Instruments to be under the control of the Marine Assurance Association of Halifax, and to remain Provincial Property.

75l W Crawford

And a further sum of 100l. to the President and Officers of the Mechanics' Institute at Halifax, in aid of the objects of this Institution, of which 25l. to be paid to the Mechanics' Library.

100l Mechanics Institute

And a further sum of 19l. 18s. 6d. to James Lent and others, Overseers of the Poor, for Argyle, being part of a sum expended in supporting a transient pauper.

19l 18s 6d J Lent

And a further sum of 10l. to Doctor T. E. Jeans, of Cape-Breton, for attendance to Shipwrecked Mariners and Transient Poor.

10l T E Jean

And a further sum of 22l. 10s. to John Munroe, for attention to Shipwrecked Mariner in the County of Cape-Breton.

22l 10s John Munroe

And a further sum of 40l. to Charity Daley, for boarding, lodging and attending, Shipwrecked Mariners, in the County of Cape-Breton.

40l C Daley

And a further sum of 24l. to Jacob Worster, for his services rendered distressed, Emigrants, agreeably to the report of the Committee to whom his Petition was referred.

24l J Worster

And a further sum of 15l. to Archibald Hicks, being for damages in opening a Road across his Land, (agreeably to the Report of the Committee,) in the year one Thousand Eight Hundred and twenty-nine.

15l A Hicks

And a further sum of 5l. 11s. to Nicholas Jenkins, for Drawback on one puncheon Rum, exported to Prince Edward Island, in the year one Thousand Eight Hundred and Twenty-seven, agreeably to the prayer of his Petition.

5l 11s N Jenkins

And a further sum of 500l. at the disposal of His Excellency the Lieutenant-Governor, to build a Light-House at Low Point, in the County of Cape-Breton.

500l Light House, Cape Breton

And a further sum of 35l. 2s. 3d. to Joseph Fairbanks, for the Drawback of certain Duties on Rum exported from this Province, and partly lost at sea, on the passage from Halifax to Richibucto.

35l 2s 3d J Fairbanks

And a further sum of 50l. at the disposal of His Excellency the Lieutenant-Governor, to be applied in the support and encouragement of a Packet, to be employed and run by W. F. DesBarres and others, between Guysborough and Arichat, touching occasionally at Fox Island and Canso, such Packet to be under such regulations as have been or may be agreed upon by the General Sessions of the Peace, for the Lower District of the County of Sydney.

50l Guysboro Packet

And.

750l Wallace
River

And a further sum of 750l. for the rebuilding the Bridge over the Wallace River, in the County of Cumberland, in aid of the Subscription of the Inhabitants, upon the plan, design and estimate, of Mr. Peter Crerar, submitted to the House of Assembly by direction of His Excellency the Lieutenant-Governor, provided that one half the said sum shall not be drawn from the Treasury until the Year One Thousand Eight Hundred and Thirty-three, and the other half in the Year One Thousand Eight Hundred and Thirty-Four.

24l M Richard-
son

And a further sum of 24l. to Matthew Richardson, the amount of certain Provincial Treasury Notes destroyed by Fire.

16l 2s 11d
Ratchford and
Dewolf

And a further sum of 16l. 2s. 11d. to Messrs. Ratchford and Dewolf, in return of duties twice paid by them, agreeably to the report of the Committee.

200l Bridewell

And a further sum of 200l. to aid in paying the debt of the Bridewell Establishment, which sum was omitted to be granted for the Year One Thousand Eight Hundred and Thirty.

100l Secretary
of Province

And a further sum of 100l. to the Secretary of the Province, to enable him to repay the like sum advanced by His Excellency the Lieutenant-Governor, for the relief of distressed Labourers at Dartmouth, pursuant to a resolution of this House, passed during the present Session.

3l 10s Over-
seers of Poor
St Mary's

And a further sum of 3l. 10s. to the Overseers of the Poor at Saint Mary's, to defray the expense of supporting a Shipwrecked Emigrant, landed at Mary Joseph in July last.

150l Annapolis
Academy

And a further sum of 150l. to the Trustees of the Annapolis Academy, to enable them to pay Salaries to the Masters or Teachers thereof, 40l of which to be paid to the Teacher or Teachers of the lower branches of Education in the said Academy.

13l 15s James
Farrell

And a further sum of 13l. 15s. to James Farrell, for attendance, and boarding and lodging, Shipwrecked Mariners, in the County of Cape-Breton, in conformity with the report of the Committee.

300l Horton
Academy

And a further sum of 300l. to the Managing Committee of the Horton Academy, in part payment of the debt, and in aid of that Institution for the present year.

20l 19s 5½d E
Ward

And a further sum of 20l. 19s. 5½d. to Edmund Ward, as a Drawback of Duties on a certain quantity of Types exported to New-York.

7l 19s 3d W &
R Lawson

And a further sum of 67l. 19s. 3d. to Messrs. W. & R. Lawson, being the amount of duties paid by them on Machinery Imported for their Nail Manufactory.

158l 6s 3d Ship-
wrecked Mari-
ners

And a further sum of 158l. 6s. 3d. to His Excellency the Lieutenant-Governor to reimburse him for the amount of supplies furnished for the Establishment on the Island of Saint Paul, during the last year; also the sum of 60l. 16s. 7d. to reimburse His Excellency for supplies sent to Seal Islands for the support of Shipwrecked Mariners on those Islands, agreeably to the report of the Committee.

And

And a further sum of 311. 5s. to the Treasurer of the Province, to enable him to discharge the claims rendered for damages sustained by Patrick Connors, and John Bell, in consequence of their Land being taken for the alteration of the Main Road on the East side the Dartmouth Lake, including in the said sum, 111. claimed by John Bell, as appears by the report of the Committee on his Petition.

311 5s Treasurer
of Province

And a further sum of 2661. 9s. to the Petitioners from Arichat, for Bounties on Fish and Tonnage, caught and employed in the Year One Thousand Eight Hundred and Thirty, and the further sum of 131. and 15s. to Moses Larkin, in conformity with report of the Committee on such Petitions.

2661 9s Fish
Bounties
131. 15s. J.
Larkin

And a further sum of 151. to Doctor John Noble, of Judique, Cape-Breton, as a remuneration for his services in attending Shipwrecked Mariners during the past year.

151 J Noble

And a further sum of 7501. to assist the Inhabitants of Halifax, in completing a Road round Bedford Bason, in conformity with the report of the Committee; the said sum to be paid by Instalments in the Years One Thousand Eight Hundred and Thirty-Three, and One Thousand Eight Hundred and Thirty-Four, provided they give security to the satisfaction of His Excellency the Lieutenant-Governor that they will complete said Road on receipt of said sum.

7501 Bedford
Bason Road

And a further sum of 201. to James Monroe, for his disinterested services rendered to those persons brought to Halifax, in the schooner Pomona, from the North Shore of Cape-Breton.

201 J Monroe

And a further sum of 831. 17s. at the disposal of His Excellency the Lieutenant-Governor, to defray the Expenses incurred in the Establishment at Melville Island for the relief of persons afflicted with the Small-Pox during the last year.

831 17s Melville
Island Estab-
lishment

And a further sum of 51. to Francis Hall, for his services in making a survey and plan of the Bridge over Half-way River, Windsor Road, under the direction of His Honor the late President.

51 F Hall

And a further sum of 751. at the disposal of His Excellency the Lieutenant-Governor, to enable him to remunerate Doctors Wallace, Grigor, and Almon, for services by them rendered as Health-Officers up to the end of the present Session,

751 Health
Officers

And a further sum of 21. 9s. 6d. to Daniel McDonald of Halifax, Dyer, being the amount of Duties paid on the importation by him of a Cloth-dressing Machine into this Province.

21 9s 6d Daniel
McDonald

And a further sum of 5001. to the Commissioners of the Poor of Halifax, towards discharging the debts due by the Establishment, pursuant to the prayer of their Petition, and the Report of the Committee thereon, and in full of all claims therefor, to the Thirtieth day of December, One Thousand Eight Hundred and Thirty-one.

5001 Commis-
sioners of Poor

And a further sum not exceeding the sum of 1001. at the the disposal of His Excellency the Lieutenant-Governor, to enable him to defray the expenses incurred in the appointment of Commissioners under the Law, passed last Session of the Legislature, entitled, An Act for the appointment of Commissioners to report upon the advantages that may be derived to the Proprietors of the Grand Dyke and Union Dyke, in the Township of Cornwallis, by the building of the Wellington Dyke. And

1001 His Ex-
cellency the
Governor

144l 7s 9d J
McKay

And a further sum of 144l. 7s. 9d. to John McKay, for loss sustained in deviating from his voyage to preserve the lives of Shipwrecked Mariners and Emigrants.

30l S Head and
others

And a further sum of 30l. to Samuel Head, John Stirling and Matthias Hoffman, Surgeons, to compensate them for Medical attendance at Melville Island, and Medicines supplied to Patients afflicted with the Small Pox, during the Year One Thousand Eight Hundred and Thirty-One, pursuant to the prayer of their Petition.

50l National
School at
Lunenburg

And a further sum of 50l. to the Trustees of the National School, in the Town of Lunenburg, to aid them towards paying the debt now due on the National School House in said Town.

20l Ferry be-
tween Douglas
and London-
derry

And a further sum of 20l. to aid the Inhabitants of Douglas at the mouth of the Shubenacadie, in supporting a suitable Boat to run between Londonderry and that place, the said Boat to be under the regulation of the General Sessions for the County of Hants, and the said sum to be paid by warrant from His Excellency the Lieutenant-Governor, upon the certificate of the said Sessions, that such Boat has been actually running at least four Months, to the satisfaction of the said Sessions under their regulations.

50l Buoy at
Barrington

And a further sum of 50l. for the purpose of enabling the Inhabitants of Barrington, to place a Buoy on West Ledge, at Barrington Harbour.

1150l Corn-
wallis Bridge

And a further sum of 1150l. to the Inhabitants of King's County, and others, in addition to the sum of 750l. heretofore granted, whenever and so soon as a good and sufficient Bridge shall have been built and completed across the Cornwallis River, at such scite as shall be selected by the Magistrates and Grand Jury of King's County, and approved of by His Excellency the Lieutenant-Governor, therefor, and according to such plan, and under such Securities for durability, as the Governor and Council shall approve.

12l 12s Peter
Crerar

And a further sum of 12l. 12s to Peter Crerar, for making a Plan, Survey, and Estimate, of a Bridge over the Wallace River, in the County of Cumberland, pursuant to the order of His Excellency: the said Plan, Survey, and Estimate, having been made pursuant to the request of this House.

50l Hichins
and Crowell

And a further sum of 50l. to Richard Hichins and Edmund Crowell, for the purpose of employing two able-bodied men to reside with them on Seal Islands, for the purpose of assisting Shipwrecked Mariners, one half of the said sum to be paid in Six Months, upon sufficient proof being produced to satisfy His Excellency the Lieutenant-Governor, that such men have been actually so employed, and the residue at the end of the then ensuing Six Months upon like proof.

200l Bridewell

And a further sum of 200l. to the Commissioners of the Bridewell in the Town of Halifax, to aid in paying the Debts, and for the support of that Establishment, for the present year.

88l Howe and
Son

And a further sum of 88l. to Messrs. John Howe & Son, for extra printing for the year 1831, per Account rendered by them.

100l Secretary
of Province

And a further sum of 100l. to the Secretary of the Province, for extra services in preparing Road Commissions and Warrants, School Acts, &c. for the year One Thousand Eight Hundred and Thirty-one.

And

And a further sum not exceeding 1000l. for defraying the expense of a Post Communication, for the year One Thousand Eight Hundred and Thirty-two.

1000l Post
Communication

And a further sum not exceeding 500l. at the disposal of His Excellency the Lieutenant-Governor, for the purpose of examining and making secure the Roof of the Province Building, and to put in a proper state the House of Assembly, and Council Chamber, and Fences round Government House.

500l Repairs
of Public
Buildings

And a further sum of 700l. to His Excellency the Lieutenant-Governor, to enable him to provide for the Inspecting Field Officers of Militia, for one Year, from the Thirtieth day of December next, as heretofore.

700l Inspecting
Field Officers

And a further sum of 250l. to John Bainbridge, Esquire, the Agent of the Province, in London, for his services for the year One Thousand Eight Hundred and Thirty.

250l John
Bainbridge

And a further sum of 250l. to John Bainbridge, Esquire, the Agent of the Province, in London, for his services during the present year.

250l John
Bainbridge

And a further sum of 270l. to Messrs. John Howe & Son, Printers, for Printing for Government, and the General Assembly, for the present year.

270l Howe
and Son

And a further sum of 40l. at the disposal of His Excellency the Lieutenant-Governor, to defray the expense of conveying the Judges of His Majesty's Supreme Court to Cape-Breton, during the present year, to preside at the several Circuit Courts in that Island.

40l Convey-
ance of Judges

And a further sum of 100l. to the Clerk of the House of Assembly, to defray the expense of extra Servants, and other incidental expenses, during the present Session.

100l Clerk of
Assembly

And a further sum of 40l. to be drawn by the Speaker of the House of Assembly, for contingent expenses.

40l Speaker of
Assembly

And a further sum of 35l. to the Deputy Clerk of the Council, for his services for the present Session.

35l Dep. Clerk
of Council

Also the further sum of 65l. to the said Deputy Clerk, for attendance and extra services in Council, during the present Session.

65l Ditto

And a further sum of 35l. to the Assistant Clerk of the House of Assembly, for drafting and copying Bills for the Members of the House, during the present Session.

35l As. Clerk
of Assembly

Also, the further sum of 65l. to the said Assistant Clerk, for attendance and services as such Assistant Clerk, during the present Session.

65l Ditto

And a further sum of 50l. to the Keeper of the Assembly House and Council Chamber, for the present Session.

50l Keeper of
House, &c.

And a further sum of 165l. to defray the expense of Fuel and Sundries supplied for the use of His Majesty's Council, and the House of Assembly, in the present Session, to be paid on the Certificate of the President of the Council, and the Speaker of the House of Assembly.

165l Fuel and
Sundries

75l Clerk of
Assembly

And a further sum not exceeding 75l. to the Clerk of the House of Assembly, to defray the expence of Stationary for the Coucिल and House of Assembly during the present Session.

10l J J Sawyer

And a further sum of 10l. to J. J. Sawyer, Esquire, High-Sheriff of the County of Halifax, for his expences as such Sheriff, at the opening and closing of the present Session of the General Assembly.

50l Clerks of
House

And a further sum of 50l. each to the Clerk and Assistant Clerk of the House of Assembly, for their extra services during the present Session.

300l Messrs.
Cunard

II. *And be it further enacted*, That the sum of 300l. be granted and paid, annually for five years, to Messrs. Samuel Cunard and Company, for the support of a sufficient Steam Boat, for the carrying of Merchandize and Passengers between the Port of Pictou and Prince Edward Island, upon the following conditions, that is to say; that the Government of the said Island shall annually make a similar provision for the same Boat, and that she shall be kept continually plying between the said places from the opening to the closing of the Navigation in each year, and perform a voyage at least once a week during each season, unless in case of unavoidable accident, with convenient accommodation for Passengers.

500l J Whit-

And Whereas, the sum of 500l. granted and placed at the disposal of His Excellency the Lieutenant-Governor in the last Session, towards defraying the expence of building and providing a sufficient and substantial Steam Boat, impelled by one Engine of at least Fifty Horses Power, or by two Engines each of at least Twenty Horses power, and Manufactured either in this Province or Great-Britain, to ply between Saint John's, Annapolis and Digby, is to be paid to James Whitney, or whosoever else shall first build and provide such Steam Boat, and establish the same on the said Station, whenever it shall be certified to His Excellency the Lieutenant-Governor, by such persons as he shall appoint for this purpose, that the said Steam Boat has been built and been running three Months on the said Station, and that security has been given that the same, unless prevented by unavoidable accidents, shall be continued running on the said Station during at least three years from its commencement; *And whereas*, it has been duly certified to His Excellency the Lieutenant-Governor, that the said James Whitney has built and provided a Steam Boat with an Engine of Fifty Horses power, of the Manufacture of Great-Britain, and that it is a good, substantial and efficient, Steam Boat, and well adapted to ply in the Bay of Fundy, which having commenced running on the said Station, twice in a week from the eleventh day of November last, was prevented from continuing to ply in consequence of the approach of the Winter, and the said James Whitney hath become bound and stands bound to our Sovereign Lord the King, with one good and sufficient surety, in the sum of 1000l. that the terms and conditions upon which the said sum of 500l. is payable, shall be fully complied with.

III. *Be it therefore enacted*, That the said sum of 500l. appropriated for the purpose aforesaid, be now forthwith paid to the said James Whitney.

100l M Hudson

IV. *And be it further enacted*, That out of the Monies granted, or to be granted, in aid of the Establishment of Sable Island, the Commissioners of such Establishment pay to Mary Hudson the sum of 100l. in accordance with the prayer of her Petition.

100l Inhabi-
tants of Cape
Sable Island

V. *And be it further enacted*, That the appropriation of the sum of 100l. granted last Session, to assist the Inhabitants of Cape-Sable Island, in the erection of an Aboteau across Baker's Inlet, be changed, and that the same be applied to building a Bridge across Mud Cove, on the Western side of Cape-Sable Island, pursuant to the prayer of the Petitioners, on condition that the said Petitioners furnish Labour and Materials towards the said Bridge, to the amount of 30l.

95l 6s 7d roads
in Musquodobit

VI. *And be it further enacted*, That the sum of 95l. 6s. and 7d. remaining undrawn and not expended out of the vote of 100l. granted in the year One Thousand Eight Hundred and Thirty, for the Road on the south side of Musquodobit River; be applied as follows:

For

For the Road from Bridge near Brown's, on the Musquodoboit River, to the Guysborough Road, 10l.

To build the Bridge near the School House, and repair the Road to Jonathan Archibald's, on the Sheet Harbour and Guysborough Road, 20l.

For the Road from the new Settlement, on the south side of Musquodoboit River, to the Guysborough Road, 10l.

For the Road from the Forks of the Sheet Harbour and Guysborough roads, leading to Saint Mary's, and to pay Jonathan Archibald 22l. 16s. expended by him for clearing out windfalls, &c. 40l.

For the Road, and to repair the Bridges, from Johnson Colbeck's, to McHeffy's upper line, 15l. 6s. 7d.

VII. *And be it further enacted*, That the sum of 100l. granted in the Year One Thousand Eight Hundred and Twenty-Eight, to repair the Bridge over the Annapolis River at Bridgetown, and remaining undrawn, and unexpended, be now appropriated as follows, that is to say :

100l Roads in County of Annapolis

25l. to assist the Inhabitants to repair the Aboiteaux at Tupper's, on the Main Post Road.

25l. to aid in repairing the Great Bear River Bridge.

30l. to aid in rebuilding the Bridge at Journey's, on the Main Post Road.

And 20l. to aid in building the Bridge over the Sunken Causeway, on the Great Road from Sissiboo River, to Yarmouth.

VIII. *And be it further enacted*, That the sum of 50l. granted in the year of Our Lord One Thousand Eight Hundred and Twenty-eight, to clear out the Brook on the Main Liverpool River, near Ten Mile Lake, and unexpended, be applied to assist the Inhabitants of Queen's County to remove obstructions in the Water Communication between Beaver Lake and Liverpool River, the same to be paid when it shall be certified by the Court of Sessions that the sum of 25l. has been raised by private subscription, and expended in said Work.

50l Inhabitants of Queen's County

IX. *And be it further enacted*, That the sum of 10l. granted in the last Session, to open and improve the Road from Seth Burgess to John M'Mullin's, in Cornwallis, and yet unexpended, be expended on the Road from said M'Mullin's, Southwardly, to the new Road, provided the first mentioned Road be not thrown open to the Public.

10l Road in Cornwallis

X. *And be it further enacted*, That the sum of 25l. granted in the Year of Our Lord One Thousand Eight Hundred and Thirty-one, to alter and open the road and build the Bridge from the Post road westward of Edward Palmer's, to the Falls Bridge (as laid out by a Committee in the Township of Aylesford) undrawn, be now appropriated for the repair of the Neily road, and Bridge over the River, near Keaton's Mills.

25l Road in Aylesford

XI. *And be it further enacted*, That the balance of 73l. remaining undrawn from the Treasury, out of the sum of 538l. 13s. 6d. voted in the Year One Thousand Eight Hundred and Twenty-Six, for the Road from Fultz's to Thompson's, be applied as follows:

73l Roads from Windsor Road

25l. for Road to connect the new Road and old Windsor Road near Mitchell's.

10l. to repair the road from Reynolds', on the old Windsor Road, in addition to the sum of 15l. appropriated this Session.

38l. to repair the Road from Mixner's Mills to Johnson's, in Hammonds Plains.

XII. *And be it further enacted*, That the sum of 10l. remaining undrawn from the Treasury for the Great Rock Road, in Parrsborough, be applied to the Road from Moose River towards Five Islands, called the Moose River Road.

10l Road in Parrsborough

XIII. *And be it further enacted*, That the sum of 5l. undrawn from the Treasury, for the Road from Martin's to Davis's, in Horton, be applied to the Road from J. Westcott's to Benjamin's Mill.

5l Road in Horton

XIV. *And be it further enacted*, That the sum of 20l. remaining undrawn from the Treasury, for Ratchford River Bridge, in Parrsborough, be applied as follows:

20l Roads in Parrsborough

10l. for the purpose of exploring and opening a Road from the Cumberland Road, by Jeffer's Lake, Oman Lewis's and Benjamin Fullerton's, through the Valley to Cumberland County line.

5l. for the Road from the Shore, at Diligent River, to the Main Road to Advocate. And 5l. on the Road from Salter's to Welton's.

And whereas, Arisaig Pier has, in a late Gale, received such injury as to render it almost useless:

Arisaig Pier

XV. Be it therefore enacted, That it shall and may be lawful for His Excellency the Lieutenant-Governor to appoint and commission two or more fit and proper persons, to examine the present state of the Pier, and to ascertain whether the same ought to be repaired, or whether, according to the Petition of the Inhabitants, a new site should be chosen, accompanying their Report with Plans and Estimates, and that His Excellency the Lieutenant-Governor be authorized to draw what sum may be necessary to defray the expense of the same, out of the sum of 82l. 15s. remaining in the Treasury, as an unexpended balance of a former vote, for the said Pier.

19l 2s M Richardson

XVI. And be it further enacted, That the Collector of Excise, at Halifax, be authorized and directed to allow credit to Matthew Richardson, for 19l. 2s. the amount of certain Duties on Wine, Brandy and Spirits, destroyed by fire.

Western Stage Coach Company

And Whereas, The Western Stage Coach Company, by the terms of the Provincial Grant of the year One Thousand Eight Hundred and Twenty-eight, to become entitled thereto, are bound to run their Carriages with four Horses each, and it often happens that it is not necessary or advisable to run with the full number of four Horses the whole line.

XVII. Be it therefore enacted, That at such times as may be deemed expedient by the said Company they shall be at liberty to run their Carriages on said line, or such part thereof, as they may think fit, with two or more Horses, without prejudice to their right to receive any Grant from the Treasury, in the same manner as if they had run their said Carriages with four Horses.

Duties on Flour, Beef and Pork, Foreign production

And Whereas, Certain Duties are imposed on Flour, Beef and Pork, of Foreign production, formerly admitted free, when imported in British Vessels for the use of the Fisheries, *And whereas*, Bonds are now required at the Excise Office, on all such Articles, even though the same, by being imported in Foreign Vessels, are not exempted from Duty under the Imperial Acts.

XVIII. Be it therefore enacted, That it shall and may be lawful for the Commissioners of the Revenue to make an Order to permit such Goods to be so imported, without being liable to such Bonds, whenever the same shall appear to the said Commissioners to be imported in Foreign Vessels, and to be subject and liable to the Duties imposed by the said Imperial Acts, and for which Bonds have been previously given under the said Acts, and which cannot be entered for the use of the Fisheries.

5l Clerks of Peace

XIX. And be it further enacted, That such a sum be granted and paid to the Secretary of the Province as will enable him to pay 5l. to each of the Clerks of the Peace, to whom His Excellency the Lieutenant-Governor directed Road Commissions, with the Bonds to be executed, during the past year.

Drawback on Wines

XX. And be it further enacted, That the Commissioners of the Revenue, for the time being, be, and they are hereby authorized and empowered, to allow a Drawback upon all Wines, imported for or consumed by the Commissioned Officers of His Majesty's Army, composing the several Regimental Messes of the Garrison, at Halifax, or to relinquish the Duties upon all such Wines upon proof being made to the satisfaction of the said Commissioners that the Wines whereon a drawback or relinquishment of Duties is claimed were actually imported for or consumed by such Officers of the Army, *Provided*, that the whole amount do not exceed the sum of 300l. in any one year.

Pay of Members

XXI. And be it further enacted, That the sum of 1l. per day, be paid to each and every of the Members of the House of Assembly, for the present Session, to be paid on the Certificate of the Speaker; also the travelling charges as heretofore, *Provided*, that no Member shall receive pay for more than forty-two days attendance.

Instruction to Collector of Impost and Excise

XXII. And be it further enacted, That the Collector of Impost and Excise, at the Port of Halifax, shall, and he is hereby required and directed, to keep a distinct account of all Duties collected by him upon the importation from the United States of America, of Live Stock, Apples, Onions, Fruit, Biscuit and Bread, under the Act of the General Assembly

Assembly, passed in the present Session, entitled, An Act for the further increase of the Revenue by imposing a Duty upon Articles imported from Foreign Countries; and that the said Duties upon the above specified Articles, during the present year, shall be paid Quarterly to the Commissioners of the Poor, for the use of the Poor of the Town of Halifax; *Provided*, such payment do not exceed the sum of 1000l. during the present year.

XXII. *And be it further enacted*, That if any accident shall happen to any of the Bridges on the Main Roads in this Province, or any unforeseen obstructions to travelling shall arise from the fall of Trees or otherwise, it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander in Chief, for the time being, to order a Commissioner or Commissioners to repair or rebuild such Bridges, or to remove such obstructions; and it shall and may be further lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, to draw warrants, on account and in favour of such Commissioner or Commissioners, *Provided*, the same shall not exceed the sum of 300l.

Road
Emergencies

XXIII. *And be it further enacted*, That the Ninth, Twelfth, Sixteenth, Eighteenth and Nineteenth Sections or Clauses of the Act, made and passed in the Forty-first year of the Reign of His late Majesty King George the Third, entitled, An Act for applying certain Monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and One, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province, shall be revived, and be and continue in full force and virtue until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-two, in as full and ample a manner as the same clauses would be were they again repeated word for word.

Sections of
Act 41st Geo.
3 continued

CAP. II.

An Act for the Encouragement of Schools.

[PASSED THE 29th DAY OF MARCH, 1832.]

B*e it enacted by the Lieutenant-Governor, Council and Assembly*, That, from and after the publication of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint and commission in each and every County or District, and in Counties which are by Law divided into one or more Districts, within this Province, five fit and proper persons, as a Board of Commissioners, three of whom shall be a Quorum, for the superintendance of Schools, in and for the said County or District, who shall have the controul and management of all Schools established, or to be established, under and by virtue of this Act, within such County or District, for which they, the said Commissioners; shall be appointed as aforesaid, and which said Commissioners, any or either of them, shall be removable at the pleasure of the Governor, Lieutenant-Governor, or Commander in Chief for the time being, who shall also have power to fill up any vacancy occasioned by such removal, or by the death of any Commissioner or Commissioners.

Appointment
of Boards of
Commissioners
in each County
and District for
superintend-
ance of Schools

II. *And be it further enacted*, That the sum of Four Thousand Pounds shall, from and after the first day of April next, be annually granted and paid to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, in aid of Schools throughout the Province, to be distributed and applied, to and among the several Counties and Districts in this Province, in manner following, that is to say:—to the District of Halifax, Two Hundred Pounds; to the District of Colchester, Three Hundred and Thirty-three Pounds; to the District of Pictou, Three Hundred and Fifty-six Pounds; to the County of Annapolis, Three Hundred and Ninety Pounds; to King's County, Three Hundred and Sixty-six Pounds; to the County of Hants, Three Hundred and Thirty-three Pounds; to the County of Shelburne, Three Hundred and Sixty-six Pounds; to Queen's County, two Hundred and Sixty-six Pounds; to the County of Lunenburg, Three Hundred and Sixty Pounds; to the County of Sydney, Three Hun-

Annual grant
for support of
Schools

dred and Fifty-one Pounds ; to the County of Cumberland, Two Hundred and Sixty-six Pounds, to the County of Cape-Breton, Four Hundred and Thirteen Pounds.

Establishment of School Districts

III. *And be it further enacted*, That the said Board of Commissioners shall divide and lay off their several and respective Counties and Districts, for which they shall be appointed and commissioned as aforesaid, into School Districts, of such inconvenient size and extent as they shall deem proper, and shall give notice by public advertisement of such intended division by publishing a copy of the same at least one month before the same shall be established, to give an opportunity to all persons concerned to make their objections thereto, and to render the same as convenient to each and every neighbourhood as possible ; and that the said Commissioners shall have power to alter, extend or diminish, the limits of the said School District, if they see occasion to do so, or to approve and confirm the division and distribution of the several School Districts as now by Law established ; and that when such arrangement shall be finally made, a copy of such division, or a description thereof, be furnished by said Commissioners to the Trustees of any School to be hereafter established in any such School District under and by virtue of this Act.

Condition upon which allowance for School will be granted

IV. *And be it further enacted*, That, whenever any number of Individuals, in any School District so laid off and established, in any County or District in this Province, shall make application in writing to the said Board of Commissioners for such County or District, engaging to hire a Teacher for One Year, and to build or provide a School House and keep the same in repair, and therein cause to be taught for the said period of one Year at least Thirty Scholars in Reading, Writing and Arithmetic, or shall therein engage to hire a Teacher, and to provide or build and keep in repair a School House, and cause to be taught therein as aforesaid, for the period aforesaid, at least fifteen Scholars, and shall apply to the said Board of Commissioners for a participation in the said sum of Money, so to be paid to the said County or District as aforesaid, then and in such case the said Board of Commissioners shall enter upon a list of Schools to be kept by them for that purpose, such School for a participation in said money, and shall appoint one, two or three Trustees as they shall deem requisite for such School, which said Trustee or Trustees shall have power and authority to make and enter into all necessary contracts and agreements with the person or persons applying for such School and the Teacher or Teachers thereof, which said contracts and agreements shall be good and valid, and which said Trustee or Trustees shall have power to sue and be sued in their own names, for and concerning all matters relative to such School of which he or they shall be Trustee or Trustees.

Trustees to be appointed

V. *Provided always, and be it further enacted*, That whenever two thirds of the Freeholders and Inhabitants of any School District within any County or District in this Province, rateable or subject to be assessed as hereinafter mentioned, who shall meet at a public meeting of such Freeholders and Inhabitants, to be held after sufficient public notice to be given at least twenty days previous to such meeting, by the Trustees of such School District, in at least five public places in the same District, shall agree at such public meeting to raise the several sums required to be raised and provided by them under the provisions of this Act by an equal rate or assessment upon each person according to his ability, they shall certify the same to the next General Sessions of the Peace for the County or District wherein such School District is situate as aforesaid, and the same shall be assessed at the same time, and in the same manner, and under and subject to the several regulations, and by the same means, course and proceedings, as by any Acts of the General Assembly of this Province now in force, or hereafter to be enacted, are or may be provided for levying rates for the support of the Poor upon each of the Freeholders and Inhabitants of such School District, in a rateable and equal proportion according to his ability, and shall be collected and paid over to the Trustee or Trustees appointed by the Board of Commissioners for such School District from which such assessment was raised.

Assessments of Inhabitants may be made in aid of Schools

VI. *And be it further enacted*, That the said Trustee or Trustees, any or either of them, shall be removable at the pleasure of the said Board of Commissioners, who shall have power to fill up any vacancy occasioned by such removal.

Trustees removable

VII. *And be it further enacted,* That no Teacher shall receive aid under this Act unless such Teacher shall first receive a License to teach a School from the said Commissioners.

Teachers must be licensed

VIII. *And be it further enacted,* That the said sum of money so to be granted and paid to the said Counties and Districts as aforesaid, shall be drawn from the Treasury half yearly by the said Board Commissioners, by the warrant of the Governor, Lieutenant-Governor or Commander in Chief for the time being, directing the sums respectively allotted herein to the said County or District, and shall be paid by the said Board to the Clerk of the said Board, and by him be paid over to the several Teachers in the several School Districts in such County or District, in manner and form, and in the proportions, to be directed and prescribed by the said Board of Commissioners, as hereinafter mentioned, *Provided always,* That only so much of the sum allotted to any County or District as herein before mentioned, shall be drawn from the Treasury as the several engagements made between the Trustees and the Teachers of Schools within such County or District render necessary.

Allowance to Schools how drawn from Treasury

IX. *And be it further enacted,* That the Trustee or Trustees of each and every School within the several School Districts in any County or District as aforesaid, shall, once in every six months, render to the said Board of Commissioners for such County or District a true and correct account of the number, names and ages, of the Scholars taught in such School, and their progress in Education, the amount and particulars of the expenditure of such School, the amount of the salary of the Master, and in what manner the same is paid, and that the sum to be received from the said Board by the said Trustee or Trustees is *bona fide* payable to the said Master for his own use and benefit; and also that the several engagements entered into and made to the said Board, by the persons applying for such School at the time of such application, have been fully kept and performed; and shall produce and give into the said Board a certificate from the Teacher or Teachers of such School, that no part of the Salary which the persons applying for such School have engaged to pay to such Teacher or Teachers is collusively withheld, and that the said engagement was not made merely for the purpose of procuring a portion of the Provincial allowance herein before mentioned.

Returns of Scholars, Salaries of Teachers, &c. to be made every six Months by Trustees

X. *And be it further enacted,* That if any Trustee or Trustees shall wilfully render to the Board of Commissioners a fraudulent or incorrect account, under the provisions of this Act, for the purpose of obtaining Provincial aid for the School whereof he or they are Trustee or Trustees, such Trustee or Trustees shall be liable to a penalty of Ten Pounds, to be sued for, recovered and received by the Clerk of the Board of Commissioners hereinafter mentioned, in any action or suit in the Supreme or Inferior Court of the said County or District, and which said Clerk is hereby required to sue for, and recover, such penalty as aforesaid; one half to his own use, and the other half to be paid to the said Board, to be applied for the general purposes of this Act.

Fraudulent or incorrect Returns

XI. *And be it further enacted,* That the said sum of Money to be granted and paid to each and every County and District as aforesaid, shall be apportioned and applied by the said Board of Commissioners, as soon as the said accounts of the said Trustee or Trustees have been rendered and received as aforesaid, in manner following, that is to say:—the sum of Seventy Pounds, to be paid and applied by the said Board, to and among such of the Inhabitants of the said County or District as may be unable to keep up a School, with fifteen Scholars therein, to enable such Inhabitants to employ a Teacher or Teachers for the whole or some portion of the Year, to be paid and applied in such proportions and under such regulations and restrictions as the said Board shall, from time to time, make and appoint. Five Pounds to be applied by the said Board of Commissioners in the purchase of School Books, Pens, Paper, Pencils, Slates, and Ink, for the use of poor Children within the said County or District, whose parents are unable to purchase the same, and the remainder of the gross sum of money, so to be granted and paid to and for such County or District, together with any surplus of the said sum of Seventy Pounds that may remain over and above what may be required to be applied as aforesaid, shall then be distributed and paid by the said Board to and among such Schools so to be entered on such list as aforesaid, as to the said Board shall seem fit objects for the

Application of School grant

the Provincial aid, in such sums and proportions, as to the said Board shall seem fit and proper ; *Provided*, That no School of thirty Scholars and upwards shall obtain or receive more than the sum of Twenty Pounds, and no School of fifteen Scholars and under thirty Scholars shall obtain and receive more than Fifteen Pounds ; *Provided always*, that there shall be taught in every such School, as shall receive any share or proportion of the said Money, at least so many poor Scholars, free of expense, either in whole or in part, as by the said Board shall be directed ; *And provided also*, that in any populous settlement, where it shall appear to the said Board that the Inhabitants are fully able to maintain and keep up a School, without any participation in the Provincial aid, no sum of Money shall be paid to any such School unless as an allowance for the teaching of poor Children, and not more than Twenty Shillings annually shall be allowed for each poor child taught in such School ; *And provided further*, that such last mentioned School shall not receive a greater sum in the whole than Ten Pounds.

Provision for support of Teachers to be made by Inhabitants in School Districts

XII. *Provided always, and be it further enacted*, That no School, wherein thirty Scholars and upwards are taught, shall be entitled to or receive any portion of the money hereby allotted to the several Counties and Districts in this Province, unless it shall be satisfactorily made to appear to the Board of Commissioners for the County or District wherein such School is kept, by the Trustee or Trustees, that the Teacher of such School did actually and *bona fide* receive, at least, the full sum of Forty Pounds per annum, exclusive of, and in addition to, his Boarding, Washing and Lodging ; and no School wherein less than thirty, and more than fifteen Scholars are taught shall be entitled to receive any portion of the said Money so allotted as aforesaid, unless it be satisfactorily made to appear to the Commissioners that the Inhabitants interested in such School have actually raised for the use of such School, either by subscription or assessment, the sum of twenty-five Pounds per annum ; *And provided* lastly, that no School herein before mentioned, shall receive any Provincial aid, unless it shall also be made to appear to the said Board of Commissioners that a School House has actually been built or provided, as herein before directed and prescribed.

Appointment of Clerk to Boards of Commissioners—his duty : Allowance to Clerk

XIII. *And be it further enacted*, That the said Board of Commissioners, for each County and District, shall appoint a Clerk to such Board, who shall receive and pay all Monies to be received and paid by virtue of this Act, and shall keep a true and correct account and record of the proceedings of the said Board, and of the number of Schools and Scholars taught therein, and of the different sums so paid and received under and by virtue of this Act ; which Clerk shall receive two shillings and six-pence for each License to be granted to any Teacher or Teachers by the said Board, and also five per cent for all sums to be by him received and paid, under and by virtue of this Act, to be deducted from such payments so to be made by him as aforesaid.

Report of proceedings of Commissioners to be annually made

XIV. *And be it further enacted*, That, at the end of each and every year, the said Board of Commissioners shall make and render to the Secretary of the Province, for the information of the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and of the General Assembly, a true and correct account and report of their proceedings, and of the Monies by them received and distributed as aforesaid, to be certified and signed by the Clerk of said Board ; and it shall also be certified by the said Commissioners, or a quorum of them, that the same is to the best of their knowledge and belief correct in every particular, and that they have distributed the Provincial Money impartially, without favor or affection to any person.

Trustees removable

XV. *And be it further enacted*, That, on complaint to the said Board of Commissioners, for any such County or District, if they shall see fit, the said Board shall have power and authority to remove and displace the Teacher or Teachers of such Schools, and annul any contract or agreement between such Teacher or Teachers, and the Trustee or Trustees, and withdraw any License which may have been granted to such Teacher or Teachers so complained of as aforesaid.

Instructions to Commissioners Trustees and Teachers

XVI. *And be it further enacted*, That, in order to secure a uniformity of proceeding, as far as may be under the provisions of this Act, the several Boards of Commissioners, Trustees and Teachers, to be respectively appointed by virtue hereof, shall be furnished with general Instructions from the Secretary of the Province, to be made and approved

proved of by the Governor, Lieutenant-Governor or Commander in Chief for the time being, if he shall think fit so to do, by and with the advice of His Majesty's Council, not being repugnant to the provisions of this Act, under which Instructions the said Commissioners, Trustees and Teachers, shall respectively act and be governed.

XVII. *And be it further enacted,* That there shall be paid the sum of one Hundred Pounds each, Yearly and every Year, to the Acadian, National and Catholic, Schools in the Town of Halifax.

Allowance to certain Schools in Halifax

XVIII. *And be it further enacted,* That the Commissioners to be appointed under and by virtue of this Act, in each and every County or District, shall be responsible for the due and faithful application of the money to be granted and paid to and for such County or District by virtue of this Act, and shall take good and sufficient security from the Clerk, to be by them appointed as aforesaid, that he shall well and truly pay and apply all sums of money to be by him received for the purposes herein before mentioned and contained.

Responsibility of Commissioners

XIX. *And be it further enacted,* That in such County or Counties as are divided in two or more Districts, and wherein two or more Boards of Commissioners shall be appointed under this Act, (the County of Halifax excepted,) it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, to divide and apportion the sum of money hereby granted to any such County for the purposes of this Act, into such sums and proportions for each District in such County, according to its population, as to the Governor, Lieutenant-Governor or Commander in Chief for the time being, shall seem just and proper.

Division of School Money in Counties or Districts having two Boards of Commissioners

XX. *And be it further enacted,* That the Act made and passed in the Ninth Year of His late Majesty's Reign, entitled, An Act for aiding and assisting Common Schools throughout the Province, and all Acts in amendment thereof, and every matter, clause and thing, therein contained, be and the same are hereby repealed, except so far as the provisions therein contained may be requisite and necessary to carry into effect any contract or agreement heretofore made by virtue thereof.

Act 9 Geo IV. repealed

XXI. *And be it further enacted,* That whenever the Inhabitants of any School District, wherein any Common School is now established, or shall hereafter be established, and shall be in operation in any of the said Counties and Districts of this Province, under and by virtue of this Act, shall, by application in writing to the said Board of Commissioners, undertake, engage and agree, in addition to the several provisions and requirements of this Act herein before mentioned, and in addition to the several branches of learning herein before required to be taught in such Common School, to instruct, or to cause to be instructed, from eight to fifteen of the Scholars taught in such School, in the classics, the practical branches of the Mathematics, Geography, Algebra, English Grammar, or such of them as may be required, or in like manner to instruct or cause to be instructed fifteen and upwards of the Scholars taught in such School, in the said higher branches of Education, then and in such case the said Board of Commissioners shall appoint Two or more Trustees for the said School, and shall enter the same as a combined Grammar and Common School. and the same shall be entitled to the Provincial allowance hereinafter mentioned, in addition to any other Provincial allowance granted and paid to such School under the provisions of this Act; *Provided always,* that there shall not be established in any one County or District more than three such Combined Grammar and Common Schools, and that the same shall be established in such of the Towns, Villages, or most populous settlements of such County or District, as the Board of Commissioners for such County or District shall direct.

Grammar Schools may be combined with common Schools

XXII. *And be it further enacted,* That there shall be allowed and paid, from and out of the Treasury of the Province, to any such combined Grammar and Common School, so to be established as aforesaid, wherein at least from eight to fifteen of the Scholars shall be instructed in the higher branches of Education herein before mentioned, in addition to any Provincial allowance to which such School shall or may otherwise be entitled, under and by virtue of the provisions of this Act, the sum of Twenty-five Pounds, and to any such School wherein fifteen or upwards of the Scholars are so instructed, in addition to any other Provincial allowance under this Act, the sum of Thirty-five Pounds yearly, such

Additional allowance to combined Grammar and Common Schools

such sums to be applied, paid and distributed, for the use and benefit of such combined Grammar and Common Schools, in such manner and under such regulations as the said Board of Commissioners for the County or District, wherein such combined Grammar and Common Schools shall be situated, shall, from time to time, direct and appoint.

Salary to Teacher in combined Grammar and Common Schools

XXIII. *Provided always, and be it further enacted,* That no such combined Grammar and Common School shall be entitled to such allowance herein before mentioned and granted, unless it be made satisfactorily to appear to the said Board of Commissioners, that the Master or Teacher of any such combined Grammar and Common School shall actually and *bona fide* receive, including the sum paid by the Inhabitants in support of such School, and the several allowances thereto granted under this Act, in every such combined Grammar and Common School, wherein eight at least of the Scholars are or may be instructed in the higher branches of learning herein before mentioned, a salary of at least One Hundred Pounds per annum in the whole; and in every such School wherein fifteen and upwards of the Scholars are so instructed, a salary of at least One Hundred and Twenty pounds, per annum, in the whole.

Management of combined Grammar and Common Schools

XXIV. *And be it further enacted,* That all the said combined Grammar and Common Schools shall be governed and conducted in the same manner, and such Schools and all Trustees and Teachers thereof, shall be subject and liable to all and the like provisions, rules, regulations, penalties, forfeitures and restrictions, as herein before are made, contained and provided, and imposed with respect to Common Schools.

Exemption in favor of Teachers

XXV. *And be it further enacted,* That any Licensed Teacher employed or engaged in any School now established, or to be hereafter established, or to be in operation under this Act, shall be hereafter wholly free and exempted from the payment of all or any Poor and County Rates, and from the performance of Statute Labour on the Roads and Highways, and from Militia Duty, during the time such Teacher shall be so engaged or employed as aforesaid.

Academies now established not under control of Commissioners

XXVI. *And be it further enacted,* That the powers vested in the Commissioners by this Act shall not extend, or be construed to extend, to authorize them to interfere, either in the appointment or management of the Trustees now appointed, or hereafter to be appointed, of any Academy now established, or hereafter to be established, in any part of this Province, but the said Trustees shall conduct the Academy or Academies under their care without being subject to the control or supervision of said Commissioners; *Provided always,* that the Trustees of any such Academy shall be entitled to participate in the money granted for the support of combined Grammar and Common Schools, whenever the Legislature does not otherwise provide for said Academy by a separate and distinct grant.

Proviso

Allowance to Schools to be drawn for from Treasury

XXVII. *And be it further enacted,* That the sum of Four Thousand Pounds, herein before granted and distributed and divided to and among the several Counties and Districts of this Province, shall be applied and paid for and towards the support and encouragement of Common Schools only, and the additional annual allowances of twenty-five pounds and thirty-five pounds, hereby granted to and for any combined Grammar and Common Schools to be established under this Act, and all sums of money required for the same, shall be granted and paid in addition to and over and above the said sum of four thousand pounds, and it shall and may be lawful to and for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by warrant under his hand and seal, to draw from the Treasury any sum or sums of money hereby granted, and which may be required as such additional allowances to any such combined Grammar and Common Schools, in any County or District in this Province, over and above, and in addition to, the sum hereby specifically apportioned and allotted to such County or District, out of the said sum of four thousand Pounds, which additional allowances shall be paid to the respective Boards of Commissioners of Schools, to be applied as herein before directed and prescribed.

Act to be in force for three years

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

CAP. III.

An Act concerning Persons Licenced to keep Public Houses or Shops, and the Duties thereon.

Permanent and amended by 7 W. 4 C. 48 Page 322 of 1835

[PASSED THE 30th DAY OF MARCH, 1832.]

BE it enacted by the Lieutenant-Governor, the Council and Assembly, That, from and immediately after the passing of this Act, all and singular the clauses and provisions contained in the Act of the General Assembly of this Province, passed in the thirty-ninth year of the reign of His late Majesty King George the Third, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licenced to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops; and also, all and singular the clauses and provisions contained in the several Acts of the General Assembly, made in addition, alteration, or amendment thereof, or to repeal any part or clause of the said Act or Acts, shall be, and the same are hereby, absolutely repealed.

Licence Laws repealed

II. And be it further enacted, That from and immediately after the passing of this Act, and at all times hereafter, when any Act or Acts of the present or any future Session of the General Assembly, granting or imposing Duties on Persons Licenced, or to be Licenced, to keep Taverns, Public Houses or Shops, for the retail of any Liquors whatsoever, shall be in force in, or applicable to, any part of this Province; and so long as any such Act granting Duties on Licences shall be in force in any part of this Province, and as to and concerning all Licences granted, and Persons Licenced as aforesaid, since the first day of January, in the present year; and as to and concerning all duties, payments and forfeitures, in respect of such Licences, this Act, and the several clauses, regulations, penalties and directions thereof, shall take effect, apply, and be in operation, in the place and stead of the clauses, regulations, penalties and directions, contained either in the said Act of the thirty-ninth year of George the Third, entitled as aforesaid, or in any the Acts in addition, alteration, or amendment thereof, or to repeal any part or clause of the said Act or Acts passed as aforesaid.

This Act to take effect from 1st January 1832 *made*

perpetual by Section of Act 7 W. 4 C. 15

III. And be it further enacted, That the Licences hereafter to be granted for selling Wine, Beer, Ale, Cyder, or Perry, Rum, Brandy, or other Distilled Spirituous Liquors, shall be of the three kinds or denominations following, that is to say;—

A Licence to be called a Tavern Licence, to be granted for the sale of Liquors, and for the using or consuming the same in the house of the party Licenced.

Tavern Licence

A Licence to be called a Shop Licence, to be granted for the sale of Liquors, in quantities not less than one quart, delivered at one and the same time, and not to be drunk in the House or Shop of the party Licenced.

Shop Licence

A Licence to be called a General Licence, to be granted to the holder of a Tavern Licence, giving permission to vend Goods, Wares, or Merchandize, whatsoever, in his house, or to the holder of a Shop Licence, giving permission to sell Liquors to be consumed in his House or Shop. *not in the Country*

General Licence—may be granted to holders of Tavern and shop Licences in Halifax only by 7 W. 4 C. 15 See 2. Licences to be granted at first General Quarter Sessions of the year

IV. And be it further enacted, That it shall and may be lawful to and for the respective Justices assigned to keep the Peace in any County or District of this Province, in every year, at the first General Quarter Sessions of the year, to grant and order Tavern Licences for the sale of Wine, Beer, Ale, Cider or Perry, Rum, Brandy, and other strong or Distilled Spirituous Liquors whatsoever, for use or consumption in the Tavern or House of the party Licenced, to be issued and given to and in favor of such and so many fit and proper persons of good fame, and of sober life and conversation, as the said Justices shall judge necessary to be Licenced to sell such Liquors, in any quantity within, and to keep Taverns or Houses of Public Entertainment in the several Towns, and on the several roads or streets of this Province, lying within their respective Counties or Districts; and also to grant and order Shop Licences for the sale of such

only if recommended by Grand Jury see 2 Vic Cap 7 Section 2.

such Liquors as aforesaid, in any quantity not less than one quart, delivered at one and the same time, to be issued and given to any and every such person and persons keeping Shops, or vending Goods, Wares and Merchandize, as the said Justices shall deem fit and proper, and further to grant and order General Licences to be issued and given, either unto the holder of a Tavern Licence, to authorize and permit such person to vend Goods, Wares and Merchandize, in the Tavern or House of Public Entertainment of the party so Licenced; or unto the holder of a Shop Licence, to authorize and permit such person to sell any such Liquors as aforesaid, in any quantity, and to permit the same to be used or consumed in the house or shop of the party named in any such Shop Licence.

*alter to 7074
no Gen Licenses
except in
Halifax*

Name, residence, &c of Person obtaining Licence to be inserted in Licence

V. *And be it further enacted*, That in every such Tavern Licence, Shop Licence, or General Licence, to be granted pursuant to this Act, there shall be inserted and contained, the name, residence and occupation, of the person or persons to whom the same is made, and the particular house or shop for which the same Licence is given, with the name of the County and of the Town, Township or Settlement, thereof, and of the particular road, street or lane, therein, in which such house or shop is situate.

shall Grand Jury recommend Persons for Licences
insertion in
Halifax

VI. *And be it further enacted*, That the Grand Jury for the County of Halifax, shall, and they are hereby required, at the first General Quarter Sessions in every year, at Halifax, to nominate and recommend to the Justices in Session, as many fit and proper persons of good fame, and of sober life and conversation, as they shall judge necessary to be Licenced to sell such Liquors as aforesaid, or to keep Taverns or Houses of Public Entertainment within the Town and Peninsula of Halifax; and no Tavern Licence, or General Licence, to persons within the said Town or Peninsula, shall be granted or made at such first Quarter Sessions of the year, to any person or persons, other than those whose names shall be contained in the list of such recommendations.

Licences may be granted by Justices in Special Sessions
in Halifax

VII. *And be it further enacted*, That if after the first General or Quarter Sessions of the year shall have ended, any person or persons, not named in the said list of recommendations by the Grand Jury, shall apply to the Justices at Halifax; at any other their Quarter or Special Session of the Peace, for any Tavern Licence, Shop Licence or General Licence, as aforesaid, and such application shall be by the said Justices in Session approved of and allowed, then, and in every such case, an order shall be made for granting the Licence applied for, and the same shall be issued accordingly; *Provided always*, that every such application for a Tavern Licence be first recommended by the Grand Jury, at some of their sittings, or be signed by twelve of the Grand Jurors.

Proviso

Licences granted in Counties or Districts other than Halifax

VIII. *And be it further enacted*, That if after the first General or Quarter Sessions of the year, in any other County or District of the Province, any person or persons shall apply for any such Tavern Licence, Shop Licence or General Licence, therein, it shall and may be lawful, to and for the Justices at any other General Session, held in and for such County or District, or to and for any three Justices thereof, in Special Session assembled, to make an order for granting such Licence as aforesaid, if it shall be deemed expedient so to do, and the same shall be issued accordingly; *Provided always*, that every such application made to a Special Session, for a Tavern Licence, shall be first recommended by three Justices of the said County or District, not of the said Special Session; *And provided also*, the issuing of such Tavern Licence be first recommended by the Grand Jury.

Licence to be according to Forms in annexed Schedule

IX. *And be it further enacted*, That the said several Licences shall be made and issued in the terms and according to the forms prescribed therefor, in the Schedule to this Act annexed, and shall be signed by the Clerk of the Licences of the County or District for which they shall be granted; the Clerk of the Peace first certifying thereon, that Security has been given therefor, as hereinafter prescribed, and such Licence shall continue and endure from the date thereof, until the end of the General or Quarter Sessions of the Peace, first held in and for such County or District, in the year of our Lord next following the grant of such Licences respectively.

Licence Duty to commence

X. *And be it further enacted*, That for and upon every such Licence granted in any County or District, after the end of the first General or Quarter Sessions thereof, there shall be allowed and deducted from and out of the whole duty for the time being, payable upon

upon such Licence, a sum equal to one twelfth part thereof, for each and every full Calendar Month elapsed, between the last day of such first Quarter Session of the Year and the date of such Licence.

XI. *And be it further enacted*, That every person to whom any such Tavern Licence or Shop Licence shall be ordered to be granted, shall, before the same is delivered, first enter into a bond or obligation to His Majesty, his Heirs and Successors, whereby the person licenced, and one or more sufficient Sureties, to be approved by the Justices ordering the same, shall become bound in the penal sum of Fifty Pounds, with condition that he, she or they, will well and truly comply with and yield obedience to this Act, and all Laws of this Province, hereafter to be made in relation to persons Licenced to sell Liquors, and shall duly pay into the hands of the Clerk of the Licences for the time being, his, her or their, payments of the duty on such Licence, within ten days after such payments respectively shall become due; and such Bond or obligation shall be according to the form therefor contained in the Schedule to this Act annexed, and when executed shall be filed in the Office of the Clerk of the Peace.

Bond to be given by persons Licenced

XII. *And be it further enacted*, That as well the Clerk of the Peace as the Clerk of the Licences, in each County and District, shall register in a Book and keep a correct list of all Licences granted in every Year, with the names, additions and residences, of the parties Licenced, and a memorandum of the House or shop for which such Licence is granted, and the several dates thereof, with an account of the Bonds or Securities given, previous to taking out such Licences, and the amounts of the Licence duty payable on every such Licence, and the respective times when the same are payable, and paid or received, and such Books shall be produced and exhibited to the Justices in Session, and to the Grand Juries, whensoever they shall require the same.

Register of Licences

XIII. *And be it further enacted*, That each and every person who shall hereafter obtain or take out any Tavern Licence, Shop Licence, or General Licence, shall pay to the Clerk of the Peace the fee of five shillings in full for his attendance about such Licence, and entering the names of the party Licenced, and the proceedings, in the Minute Book of the Sessions, and taking the bond or obligation required to be given as aforesaid, and for all other his services in and about the granting such licence; and the Clerk of the Licences, were such licences are granted, shall receive for his fee for and upon every such Licence, from the party licenced, the sum of five shillings and no more, for making out and preparing such licence and filling up the bond or obligation, and all services therewith connected.

Fees allowed to Clerks of Licences and of Peace

XIV. *And be it further enacted*, That, for and upon every such Licence, so to be granted as aforesaid, there shall be paid by the person or persons licenced thereby, to the Clerk of the Licences, the whole sum of licence duty from time to time granted and payable thereupon under and by virtue of this or any other Act of the General Assembly, and in the proportions and at the times following, that is to say—one half of the whole yearly duty in advance at or before the issuing of such licence, and the residue thereof in advance at or upon the expiration of six calendar months from the date of every such licence: *Provided always*, That, upon licences granted within six months after the end of the first General or Quarter Session of the Year, the reduction of duty herein before allowed shall be made and taken out of the second payment of the said licence duty: *And provided also*, That, upon licences granted after the said term of six months from the end of such first Session, the reduction of duty shall be made at the issuing of the licence.

Times of payment of Licence Duty

XV. *And be it further enacted*, That, from and after the publication hereof, if any person or persons whatsoever within this Province, either by themselves or their wives or any of their children, or their known and reputed servants or substitutes under them, directly or indirectly, in any House, Shop, Warehouse, or other place whatsoever belonging to the Father or Mother of such child or children, or to the known or reputed Master or Mistress of such Servant or Substitute, shall sell, barter or exchange, or deliver upon credit, any Rum, Brandy, Ale, Wine, Cider, Perry, or other strong or distilled Liquors, mixed or unmixed, by whatsoever name or names they are or may be called or distinguished, (without Licence first had and obtained for that purpose, in manner and form as

Violations of this Act

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herein directed or under the said Acts herein before repealed,) whether such wife, child, children, servant or substitute, so sold, bartered, or exchanged, or delivered the same, or not, by the command of such father, mother, master or mistress, or shall hawk, sell, or expose to sale, barter or exchange, or deliver upon credit, any such liquors, mixed or unmixed, by whatsoever name or names they are or may be called or distinguished, about the Streets, Wharves, Highways, Lanes or Suburbs, of the Town or Peninsula of Halifax, or in any other Town or place whatsoever, within this Province, in any manner whatsoever, or upon the water, in any ship, boat or vessel, or in any other manner whatsoever, or shall deliver upon credit, or sell, or barter or exchange, or expose the same to sale, on any bulk or bulks, stall or stalls, or in any shed or sheds, or on, or in, any other place or places, such person or persons, and the father or mother of such child or children, and the reputed master or mistress of such servants or substitutes, shall forfeit for every offence a sum not exceeding Twenty Pounds, nor less than Five Pounds; and it shall and may be lawful for any two Justices of the Peace within this Province, on their view, or on confession of the party, or by proof on the oath of one credible witness, to convict any person or persons so offending, and the person or persons so convicted shall immediately on such and every other like conviction, pay the amount of such fines or forfeitures into the hands of the Clerk of the Licences; and on such offender or offenders refusing or neglecting to pay the said sum, (together with the charges of prosecution,) it shall and may be lawful for such Justices to issue a warrant under their Hands and Seals for the levying the same, by distress and sale of the offender's goods and chattles, and if no sufficient distress can be found, then the said Justices shall, by warrant under their Hands and Seals, commit the offender or offenders to His Majesty's Gaol within the County where the offence shall be committed, there to remain in close confinement, or to be put to hard labour, for the space of three months, or until he or she shall have fully paid and satisfied the said fine and charges as aforesaid, or otherwise to be bound out by the Justices aforesaid for any time not exceeding three months, to serve and labor for any person who will pay the fine and costs. Provided, that all prosecutions in pursuance of this Act, shall be made within three months after the offence committed.

not to be

pay to Clerk
Charges

Commit to Jail

Holdes of Licences to hang out signs

Persons not holding Licences hanging out signs

Persons holding Licences selling in Houses not specified in Licences

XVI. *And be it further enacted,* That every person keeping a Tavern or retail Shop, and having License to sell any Spirituous Liquors, Wine, Ale, Beer, Cider, or Perry, shall, within ten days after obtaining such Licence, hang out a sign or inscription with their names thereon, setting forth that Spirituous Liquors are there to be sold, on pain of forfeiting Five Pounds for each and every such neglect.

XVII. *And be it further enacted,* That if any person or persons, not having obtained a licence therefor, shall presume to hang out or suffer to remain any Sign, or inscription whatsoever, importing that Rum or other strong or distilled Spirituous Liquors, Wine, Ale, Beer, Cider or Perry, are there sold, otherwise than by wholesale, upon proof thereof in manner and form herein described, such person shall be subject and liable to the like penalties and forfeitures as persons convicted of selling Spirituous Liquors without Licence.

XVIII. *And be it further enacted,* That if any person or persons either by themselves or their Wives, or any of their Children, or known or reputed Servants, or substitutes under them directly or indirectly, shall presume to sell any Rum, Brandy, Wine, Ale, Cider, Perry or other strong or distilled Liquors, mixed or unmixed, by whatsoever name or names they are or may be called or distinguished, by virtue of or under pretence of any Licence obtained, as in this Act is directed, in any other place than at the House, Shop, or place, to be named in such Licence, where such person or persons themselves shall bona fide actually and constantly reside and dwell, or carry on the business of such Shop, upon conviction thereof, such person or persons shall be subject and liable to the like pains and penalties, as persons convicted of selling Spirituous Liquors without Licence, and the same shall and may be prosecuted for, paid, levied, and disposed of, in like manner as is directed by this Act.

XIX. *And be it further enacted,* That it shall be in the power of the said Justices in

in their General or Quarter Sessions of the Peace, from time to time, at the discretion of the said Justices, to grant a licence or licences gratis, to any person or persons living on roads, which are remote and little frequented, for the encouragement of such persons keeping Houses of Entertainment on such public roads for the accommodation of Travellers.

Licences may be granted gratis to Persons living on remote Roads

2 Vic Cap 7 recommended by J. J. J.

XX. And be it further enacted, That it shall and may be lawful to and for the Justices in any their Sessions at Halifax, to grant any such Licence as aforesaid, to any person or persons keeping a Public Country Market House, in the Town or Suburbs of Halifax, for the accommodation of Travellers from the Country, at and under such reduced rate of Licence Duty, as will amount in all upon any one Licence to the sum of Three Pounds and no more for any one year.

Licence to Public Country Market House.

XXI. And be it further enacted, That the Justices aforesaid shall, on the first day of their first Sessions of the Peace in every year, appoint one certain day during their said Session, whereon to grant licences as aforesaid, on which day the Clerk of the Licences shall, and is hereby required to, attend the said Justices, to receive the half-yearly advances from the several persons licenced as aforesaid; and to take a list of their names and places of abode, and all licences granted at any other time, or in any other manner, except as is herein before provided for, shall be void; Provided, that if any person or persons recommended as aforesaid by the Grand Jury, in Halifax, or approved by the Justices in other parts of this Province, as a proper person to be licensed, shall neglect or refuse to attend on the day or days to be appointed as aforesaid for the granting of Licences, or shall neglect or refuse then and there to enter into an obligation with one or more Sureties, as is herein before provided, or shall not pay to the Clerk of the Licences one half part of the said licence money in advance; or in case any person licensed should die, or his or their licence be taken away, or otherwise become vacant, then and in all such cases it shall be lawful for the said Justices, either at Halifax, or elsewhere, at any time during the same Sessions, or in any succeeding Sessions, to appoint and grant such licence or licences to any other person or persons of good fame and sober life, living near the person whose licence may become vacant as aforesaid, or so neglecting or refusing to comply with the conditions required by this Act, he, she or they, so to be licenced instead thereof, giving the Security and paying the fees and advances hereby required.

Clerk of Licences to receive half-yearly advances of Licence Duty

On Neglect or refusal of Persons recommended by Grand Jury to take out Licences

may Licences

X. This part of the Act is superseded by 2 Vic Cap. 7 Sec 2 Regu

XXII. And be it further enacted, That the said Justices shall not grant a Tavern Licence to any person (except in the Town of Halifax) unless he, she or they, shall keep a house of public entertainment for Travellers; and every person obtaining such Tavern Licence shall cause a sign to be set up over or near the door of such Tavern, with his or her name thereon, and a plain inscription, setting forth that entertainment may be had there for Man and Horse; and shall also keep, and have in his or her House, two good beds, over and above what may be required for the lodging of his or her family and servants, and shall also be provided with good and wholesome victuals and drink, for the accommodation of Travellers, and with Stables, Hay and provender for Horses; in default whereof, it shall be lawful for the Justices in Sessions, on Complaint thereof, by one or more witnesses upon Oath, to take away such Licences as forfeit.

Holder of Tavern Licence (except in Halifax) to provide accommodation for Travellers

XXIII. And be it further enacted, That every person Licenced as aforesaid, shall at all times keep and maintain good order in the House, Tavern, Shop, or House of Entertainment, for which such Licences shall be granted, and shall not suffer any riot, disturbance, or breach of the Peace therein, nor any raffle or raffles, nor the using or playing of any kind of game or games, by Dice, Cards or otherwise, therein, on pain of forfeiture of such Licence.

Order in Licenced Houses

XXIV. And be it further enacted, That no person whatsoever holding a Shop Licence 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 for sale, any manner of Goods or Merchandise whatsoever, (bread and milk excepted) on the Lord's Day, or on any part thereof, under the penalty of Five Pounds for every such offence, and of forfeiture of the Licence.

Holder of Shop Licence not to sell Liquors on Lord's Day

Holders of Licences to exclude from their Houses, disorderly persons, Servants, Apprentices, &c.

one Justice may commit anyone to prison for a long sentence

if convicted for this offence he shall also carry home

XXV. And be it further enacted, That if any Tavern-keeper, Shop-keeper, Retailer of Spirituous Liquors, Vintner, or other person keeping a Public House of Entertainment or Shop within this Province, and licenced as aforesaid, shall, on any pretence whatsoever, suffer any disorderly persons, or any hired man or woman servant, apprentice, male or female, or any person or persons under the age of twenty-one years, to resort to such Tavern, Shop or Public House, or at any time or times of the day or night throughout the week, there to idle or mispend his, her or their time, or to have any liquor to drink therein, or shall entertain or suffer on the Lord's Day any of the Inhabitants of Halifax, or of any of the Towns respectively where such Tavern-Keepers, Shop-keepers, Retailers of Spirituous Liquors, Vintners, or other persons keeping public houses of entertainment or shops 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 or about their dwelling houses or shops, drinking or idly spending their time, it shall and may be lawful for any one of His Majesty's Justices of the Peace for the County, either on his own view, or on the information of one credible witness, to cause the person or persons offending against this clause, or any matter or thing herein contained, to be apprehended and committed prisoner to the County Jail, unless such offender or offenders shall enter into a recognizance before such Justice, with one or more sufficient Bondsmen, for, his, her, or their appearance at the next General Sessions of the Peace, there to answer such complaint, and in the mean time to be of good behaviour; and also to bind over the witness or witnesses to prosecute at such Sessions; and it shall and may be lawful for the Grand Jury, of their own knowledge, or on the information of one or more credible witnesses, to make presentment, or to prefer a Bill of Indictment, against such offender before the Justices of the Peace at their General or Quarter Sessions of the County or District where the offence shall have been committed; and such Tavern-keeper, Shop-keeper, Retailer of Spirituous Liquors, Vintner, or other person keeping a Public House of Entertainment or Shop, being duly convicted by the verdict of a Jury upon such presentment and indictment, shall forfeit his licence, and shall also pay the penalty of his, her, or their bond or recognizance, taken pursuant to this Act for such offence; and every such tavern-keeper, shop-keeper, retailer of Spirituous Liquors, Vintner, or other person keeping a Public House of Entertainment or shop, shall cause the whole of this and the two preceding sections of this Act, written or printed in a plain and legible manner, to be affixed and set up in some conspicuous part of his or her tavern or shop, and in every room in his or her house, set apart or commonly used for the entertainment of travellers or other persons, and there to remain as long as such tavern-keeper, shop-keeper, retailer of Spirituous Liquors, vintner, or other person, keeping a Public House of Entertainment or shop, shall hold such licence, on pain of forfeiting such licence for any neglect thereof.

Holder of Tavern Licence restricted to sale of Victuals and drink usually consumed in Taverns

XXVI. And be it further enacted, That it shall not be lawful for any Tavern Keeper, or person holding a Tavern Licence within this Province, unless such person also holds a General Licence, hereafter to sell, vend or expose to sale, in or about his or her Tavern, any Goods, Wares, or Merchandize whatsoever, other than the victuals or drink necessary to be used and consumed, and which are usually used and consumed in Taverns, nor shall it be lawful for such Tavern-keeper or person holding a Tavern Licence, to suffer the same to be done, and any person or persons offending against the provisions contained in this clause, shall forfeit and pay the penalty of Twenty Pounds for each and every offence, to be recovered and applied in the manner herein mentioned.

Holders of Shop Licence restricted to sale of not less than a quart not to be drank in Shop

XXVII. And be it further enacted, That if any person now holding, or who shall hereafter hold, any Shop Licence, shall sell or deliver any quantity of Wine, Ale, Beer, Cider, Perry, Rum, or other strong distilled Spirituous Liquors, less than a quart, or shall on any account permit or suffer any Wine, Ale, Beer, Cider, Perry, Rum, or other strong Liquors, to be sold for the purpose of being drunk or consumed in his or her Shop or House, such person or persons so offending, unless holding a General Licence, shall be subject to the like prosecutions, penalties and forfeitures, as persons selling Spirituous Liquors without Licence; and every person taking out such Shop Licence

Licence shall cause the whole of this and the preceding section of this Act, written or printed in a plain legible manner, to be affixed up in some conspicuous part of his or her Shop, and there to remain during the continuance of his or her licence, on pain of forfeiture thereof.

XXVIII. And be it further enacted, That every person or persons licenced as aforesaid, who shall continue to sell any such Liquors as aforesaid, for a longer time than the period or date for or to which their respective licences are or shall be limited to endure and be in force, without taking out a new licence, shall be subject to the like prosecutions, penalties and forfeitures, as persons selling Spirituous Liquors without Licence.

Selling Liquor after expiration of Licence

XXIX. Provided always, and be it further enacted, That nothing in this Act contained, shall extend, or be construed to extend, to prevent or debar any Merchant, Shop-keeper or other person, not licenced by any such licences as aforesaid, to retail Rum, or other strong or distilled Spirituous Liquors, Wine, Ale, Beer, Cider or Perry, within the Town and Peninsula of Halifax, from selling of such Liquors (if imported or brought from abroad into the said Town or Peninsula) any quantity delivered at one time, and not less than the contents of the Cask, Case or Package, in which such Liquors respectively may have been first or originally imported or brought into the said Town or Peninsula; and if such Liquors be not imported or brought as aforesaid, but made or manufactured within the said Town or Peninsula, then, any quantity thereof, not less than ten gallons thereof, delivered at any one and the same time.

Merchants may sell certain quantities of Liquor without Licence—Manufacturers of Liquor, not less than ten gallons

in Halifax Package same Bottles?

XXX. And provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent or debar any Merchant, Shop-keeper, or other person (not licenced by any such licence as aforesaid, to retail any Rum or other strong or distilled Spirituous Liquors, Wine, Ale, Beer, Cider, or Perry, in any part of this Province, other than the Town or Peninsula of Halifax,) from selling any quantity of such Liquors, not less than ten gallons thereof, delivered at one and the same time, or not less than the contents of the original Cask, Package or Case, in which the same was brought into this Province.

Shop-keepers in Country may sell ten gallons Liquor without Licence

same Bottle

XXXI. And be it further enacted, That when any information, presentment or indictment, shall be made against any person or persons offending against this Act, and any person or persons shall be summoned to give evidence relative thereto, and any such person, so summoned, shall neglect or refuse to give his or her attendance at the time and place mentioned in the summons, not having any just cause therefor, to be allowed by the Justices before whom such information, presentment or indictment, shall be made, or shall wilfully withdraw himself or herself before sworn, or shall wilfully refuse to be sworn, or shall refuse to give his or her evidence, in every such case, the party so offending shall forfeit and pay the sum of Ten Pounds, to be levied by warrant of distress and sale, from the said Justice, on the Offender's Goods and Chattles, and for the want of such distress such person or persons shall be committed to Jail, there to remain for the space of three months, or until the said sum of Ten Pounds shall be paid; Provided nevertheless, that no person shall be obliged to give evidence on any information before such person be paid or secured their reasonable charges for attendance, to be allowed of and ordered by such Justices, and payable out of the monies arising by virtue of this Act,

Prosecutions under this Act

Written for refusing to be sworn
£10 - The want of fees will defeat present cause for refusing to attend but witness may appear to give evidence on this point or be sworn

XXXII. And be it further enacted, That all the monies arising from the conviction of any person or persons, for the breach of any part of this Act, shall, after deducting the charges of prosecution, be paid by the Justices, before whom the same shall be recovered, one half to the person or persons who shall inform and sue for the same, and the remaining half part to the Clerk of the Licences, to be by him accounted for and applied as hereinafter directed.

Penalties

half to Informer

XXXIII. And be it further enacted, That the Clerks of the Licences shall and may, at such times as they shall see fit, visit the Taverns, Retail Shops and Public Rooms of persons holding licences, to see that the several provisions of this Act are complied with, and shall and may and are hereby required and commanded, to prosecute all offenders against this Act, and shall be sworn faithfully to carry this Act into execution to the best

Clerks of Licences may visit Licenced Houses

241.

of his or their power and ability, and to discharge honestly and justly all the several duties herein and hereby imposed on him or them.

Interruption of Clerks of Licences

XXXIV. *And be it further enacted,* That, in case any person or persons, keeping taverns, retail shops or public rooms, or any persons being in or about such tavern, shop or room, at the time the Clerk of the Licence may be visiting the same, shall interrupt or assault the said Clerk while in the execution of this Act, the said person or persons shall be liable to be indicted and, if convicted, fined or imprisoned for any such offence.

Appointment of Clerks of Licences

XXXV. *And be it further enacted,* That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to appoint, during pleasure, the Clerk of the Licences for the Town and County of Halifax, and for the Grand Jury in the several other Counties and Districts in this Province, so often as the office of Clerk of the Licences in such County or District shall be vacant, to return to the Justices, in their General Sessions, three fit and proper persons to fill such office, one of whom the said Justices, in their said Sessions, shall appoint Clerk of the Licences for such County or District during pleasure. x

to be appointed Annually See 2 Vic Cap 7 Section 4 Page 490 of Vol 5

Duties in arrear

XXXVI. *And be it further enacted,* That, so often as one half-yearly payment for a tavern or shop licence shall be due, and unpaid to the Clerk of the Licence ten days after the same shall be due, it shall and may be lawful for such Clerk of the Licence to bring an action on such person's bond against himself or his or her surety or sureties, before any one of His Majesty's Justices of the Peace, or in any Court of Record, for the amount of such licence duty, and such Justice shall give Judgment for the same, and grant Execution for such duty in arrear, and costs, against such debtor, and his or her surety or sureties.

Violation of rules and regulations respecting Licenced Houses

XXXVII. *And be it further enacted,* That if any complaint shall be made on oath to any two Justices of the Peace for any County or District in this Province, that any person licenced to sell Spirituous Liquors by retail, keeps a disorderly house or shop, or hath in any other respect neglected or refused to conform to the rules and regulations of this Act or any other Act relating to licenced persons, it shall be lawful for such Justices, if the complaint shall appear to them to be well founded, to suspend the licence of such person so complained against, and to direct notice of such suspension to be given to him by the Clerk of the Licences; and if after such notice, the person whose licence has been so suspended shall presume to sell or retail any Wine, Ale, Cider or Perry, or any Rum, or other strong or distilled Spirituous Liquors, until such suspension shall be removed, such person shall suffer and pay the penalties and forfeitures imposed hereby on persons convicted of selling Spirituous Liquors without licence; *Provided always*, that the person or persons whose licence hath been so suspended may appeal from the order of the said Justices to the next General Sessions of the Peace for the County or District, and the complaint being removed into the said Court of Sessions, the Clerk of the Peace shall prepare and file an information accordingly, to which the appellant shall plead without delay, and the cause shall be tried by a Jury: and if the appellant is acquitted, such suspension shall forthwith be removed—but if he be convicted, his licence shall be wholly taken away, and his Licence Bond shall be put in suit against him and his sureties.

2 Justices may Sessions & records

Application of Licence Duties

XXXVIII. *And be it further enacted,* That the Clerk of the Licences, in and for the County of Halifax, shall forthwith and immediately after the receipt of any licence duties whatsoever, or of any monies, fines and penalties, received by him under this Act or any other Act of the General Assembly respecting licences, after deducting therefrom the commission of five per cent allowed to him for his trouble therein, pay over four equal fifth parts of the net balance of the said licence duties, monies, fines and penalties, collected, paid, or received as aforesaid, to the Commissioners of the Streets for the Town and Peninsula of Halifax, to be applied and appropriated by such Commissioners as other Funds received by them are or may be by Law appropriated; and the said Clerk of the Licences shall also pay over the other fifth part of the said net balance of such licence duties, monies, fines and penalties, collected, paid, or received as aforesaid, into the hands of the Treasurer of the County of Halifax, for and towards the support of the Police and Bridewell at Halifax.

XXXIX. *And be it further enacted,* That the Clerks of the Licences for the several Counties and Districts of this Province, (Halifax excepted) shall once in every half-year render a just account, and pay into the hands of the respective Treasurers of such County or District, all monies and fines received by them by virtue of this Act, deducting therefrom seven and one half per cent for their trouble.

Half-yearly account to be rendered by Clerks of Licences in the Country

XI. *And be it further enacted,* That all Monies raised in the other Counties and Districts of this Province (Halifax excepted) shall be appropriated and applied, by the Justices in their Sessions for the several Counties or Districts, to the making, opening and repairing, the public roads, making or repairing bridges, or establishing Ferries, throughout the several Counties or Districts within which such monies shall have been collected—*Provided always,* That, in every town or place where Commissioners of Streets are or may be appointed, or have jurisdiction, the said County Treasurer shall, and he is hereby required to, pay to the said Commissioners, respectively, out of the County Treasury, quarterly, three-fifth parts of the monies arising from the duties on licences for taverns and shops within the respective jurisdictions of such Commissioners, for the purpose of being applied, by such Commissioners of the Streets, to the objects and purposes for which they are or may be appointed.

Application of Licence Duties in the Country

Proviso

XII. *And be it further enacted,* That it shall and may be lawful to and for the Justices of the Peace, at any their General or Special Sessions in any County or District, to require any present or future Clerk of the Licences or County Treasurer, to enter into such Bond to His Majesty, his Heirs and Successors, and with such sufficient sureties, and in such penalty, as the said Justices shall order and direct for the due and faithful performance of the duties of the office of Clerk of the Licences or County Treasurer, in and for the County or District, in and for which such appointment is or shall be made; and if any such Clerk or Treasurer now appointed, being by order of any such Session required to enter into such Bond with sufficient sureties shall refuse so to do, his appointment shall be thereby vacated, and another person be forthwith appointed to fill the same.

Clerk of Licences to give Bond

SCHEDULE OF FORMS REFERRED TO IN THE FOREGOING ACT.
COUNTY (OR DISTRICT) OF

LICENCE OFFICE.

TAVERN LICENCE,

Forms of Licences

Whereas, the Justices assigned to keep the Peace in and for the said County (or District) at their General (or Special) Sessions, held at _____ on the _____ day of _____ instant, have ordered a Tavern Licence to be granted unto _____ of _____ in the said County (or District) And whereas the security by law required previous to issuing such licence, hath been duly executed, Licence is therefore hereby accordingly granted to the said _____ to keep a Tavern or House of Public Entertainment, in the House wherein _____ now dwell, situate, lying and being, in the Township (or Settlement or Town) of _____ in the said County (or District,) and on the Street, (or Road, describing it) to sell and retail in such House, Spirituous Liquors, Wines, Ale, Beer, Cyder or Perry, and other strong or distilled Liquors, under and pursuant to the rules, regulations and provisions, contained in a certain Statute of the General Assembly of this Province, passed in the second year of the Reign of King William the Fourth, and entitled, "An Act concerning Persons licenced to keep Public Houses or Shops, and the duties thereon."

Tavern Licence

This licence to remain and be in full force from the day of the date hereof, until the end of the first General or Quarter Sessions of the Peace, to be held in and for the said County, (or District,) in the year One Thousand Eight Hundred and _____ subject nevertheless to be sooner terminated, as by Law is or may be appointed, or to be cancelled at any time for misbehaviour, or offences against the Provisions of the Statute aforesaid, and subject also to the Payment of the Licence Duty hereon.

Given under my hand, as Clerk of the Licences in and for the said County (or District,) at _____ this _____ day of _____ in the year of our Lord One Thousand Eight Hundred and _____

Licence Duty paid this day, **L**
Do. payable **183. L.**

Clerk of the Licences.
By _____

By order of the Sessions, Security having been given by the Party above licenced, as the Law requires.

Clerk of the Peace.

COUNTY (OR DISTRICT) OF

LICENCE OFFICE.

Shop Licence

SHOP LICENCE.

Whereas, the Justices assigned to keep the Peace in and for the County (or District) aforesaid, at their General (or Special) Sessions held at _____ on the _____ day of _____ instant, have ordered a Shop Licence to be granted unto _____ of _____ in the said County (or District) _____ And whereas, the Security by Law required previous to issuing such Licence, hath been duly executed.

Licence is therefore hereby accordingly granted unto the said _____ to keep a Shop in the House or building now occupied by _____ situate in _____ in the County (or District) aforesaid, for the purpose of selling by retail in the said Shop, Spirituous Liquors Wines, Ale, Beer, Cyder, or Perry, and other strong or distilled Liquors, in any quantity not less than one quart to be delivered at one and the same time, but on no account whatsoever to be drunk or consumed in such Shop or House; and the party licenced, in all things, conforming to and observing the Rules, Regulations and Provisions, contained in the Statute of the General Assembly of this Province, passed in the second year of the Reign of King William the Fourth, and entitled "An Act concerning Persons licenced to keep public Houses or Shops, and the duties thereon."

This Licence to remain and be in force from the day of the date hereof, until the end of the first General or Quarter Sessions of the Peace, to be held in and for the said County (or District) in the Year One Thousand Eight Hundred and _____ subject nevertheless, to be sooner terminated as by Law is or may be appointed, or to be cancelled at any time for misbehaviour or offences against the Provisions of the Statute aforesaid; and subject also to the payment of the Licence Duty hereon.

Given under my hand as Clerk of the Licences, in and for the said County (or District) at this _____ day of _____ in the Year of our Lord One Thousand

Eight Hundred and _____

Licence duty paid this day, L.

Do. payable 183 L.

Clerk of Licences.

By Order of the Sessions, Security having been first given by the Party above Licenced as the Law requires.

Clerk of the Peace.

COUNTY (OR DISTRICT) OF

LICENCE OFFICE.

General Licence

GENERAL LICENCE.

Whereas, under the order of the Justices assigned to keep the Peace, in and for the County (or District) aforesaid, a Tavern Licence, dated the _____ day of _____ in the year of our Lord One Thousand Eight Hundred and _____ hath been granted unto _____ of _____ in the said County (or District) of _____ And whereas, upon the application of the party so licenced, the said Justices at their Session, held at _____ on the _____ day of _____ instant, have ordered a General Licence to be granted to _____ Licence is therefore hereby accordingly granted to the said _____ during the continuance of the said Tavern Licence, to vend any Goods, Wares, or Merchandize, whatsoever, in the Tavern or House of Public Entertainment, in such Tavern Licence described and mentioned, pursuant to the Statute of the General Assembly of this Province, passed in the second year of the Reign of King William the Fourth, entitled, "An Act concerning Persons Licenced to keep Public Houses or Shops, and the Duties thereon."

Given under my hand as Clerk of the Licences, in and for the said County (or District) at this _____ day of _____ in the year of our Lord One Thousand

Eight Hundred and _____

Duty paid L.

By order of the Sessions.

Clerk of the Licences.

Clerk of the Peace.

County

COUNTY (OR DISTRICT) OF

LICENCE OFFICE.

GENERAL LICENCE.

Whereas, under the Order of the Justices assigned to keep the Peace in and for the County (or District) aforesaid, a Shop Licence, dated the day of in the year of our Lord One Thousand Eight Hundred and hath been granted to of in the said County (or District) And whereas, upon the application of the party so licenced, the said Justices, at their Session, held at on the day of instant, have ordered a General Licence to be granted to Licence is therefore hereby accordingly granted to the said during the continuance of the said Shop Licence, to sell by retail, permit to be used, drank or consumed, in the Shop or House described in such Shop Licence, Spirituous Liquors, Wines, Ale, Beer, Cyder or Perry, and other strong or distilled Liquors whatsoever, and in any quantity, whether more or less than one quart, pursuant to the Statute of the General Assembly of this Province, passed in the second year of the Reign of King William the Fourth, entitled, "An Act concerning Persons licenced to keep Public Houses or Shops, and the Duties thereon."

General Li-
cense

Given under my hand as Clerk of the Licences in and for the said County (or District) at this day of in the year of our Lord One Thousand Eight Hundred and Duty paid *L.*

By order of the Sessions.

Clerk of Licences.
Clerk of the Peace.

KNOW all Men by these presents, that We are held and firmly bound unto our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, King, Defender of the Faith, and of the United Church of England and Ireland, on Earth the Supreme Head, His Heirs and Successors, in the sum of fifty pounds of lawful currency of the Province, to which payment We jointly and severally bind ourselves, our heirs, executors and administrators, firmly by these presents. In witness wherof, we hereunto set our hands and seals, this day of in the year of our Lord One Thousand Eight Hundred and

Bond

Whereas the above bounden hath applied for and obtained a Licence, for the sale by retail of Spirituous Liquors, Wine, Ale, Beer, Cyder or Perry, and other strong or distilled Liquors, in the Tavern or House of Public Entertainment, (or in the Shop) kept by the said in

Now the condition of the foregoing obligation is such, that if the above bound shall in no way or manner, at any time, offend against or violate, but at all times well and truly comply with, and yield obedience to, all and singular the rules, regulations, directions and provisions, of the Act of the General Assembly of this Province, passed in the second year of the Reign of King William the Fourth, entitled "An Act concerning persons licenced to keep Public Houses, or Shops, and the duties thereon," and all and singular other the Laws of this Province, to be hereafter made, in relation to Persons licenced to sell Liquors, by such Licence, as aforesaid, and shall keep and maintain good order in (the Tavern or House of Entertainment or Shop,) which the said has been this day licensed to keep; and shall not suffer any raffle or raffles, or the using or playing of any kind of game or games whatever, therein, and shall duly pay into the hands of the Clerk of the Licences the half-yearly payments of the Duty imposed on such (Tavern or Shop) Licence, within ten days after payment shall become due, then, and in such case, the foregoing Bond or Obligation to be null and void, otherwise to be and remain in full force and virtue.

Signed, Sealed and Delivered, in open Court, this day of 183

CAP. IV.

An Act for the further increase of the Revenue, by imposing a Duty upon Articles imported from Foreign Countries.

[PASSED THE 30th DAY OF MARCH, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, for and upon the Goods, Wares and Merchandize, hereinafter mentioned, and upon Horses, Neat Cattle and other Live Stock, imported into this Province, not being the growth, produce or manufacture, of the United Kingdom of Great-Britain and Ireland, or of His Majesty's Possessions abroad, but of Foreign growth, produce or manufacture, the respective rates, duties and impositions, hereinafter stated and set forth, in addition to any Duties imposed by the Statute of the Imperial Parliament of the said United Kingdom, passed in the Sixth Year of His late Majesty's Reign, entitled, An Act to regulate the Trade of the British Possessions abroad, or any Acts of Parliament, from time to time in force, for regulating such Trade, that is to say :

For and upon all Horses, Neat Cattle and other Live Stock, such sum as will make the whole Duty upon each of the following Live Stock amount to the Sums hereinafter mentioned.

- On Horses. For every Horse, Mare, or Gelding, Four Pounds lawful money of the Province.
- On Oxen For every Ox three Years old the sum of Two Pounds Ten Shillings,
- Cows For every Cow or head of young Cattle, three years old and under, One Pound Five Shillings.
- Sheep, Hogs. For every Sheep Three Shillings and Six Pence, and for every Hog Two Pounds.
- Wines And also, for and upon the following Wines, that is to say : Champagne, Madeira, Port, Claret, Lisbon, Burgundy, Hock, and Sherry Wines, respectively, whether the same shall be imported in Bottles or otherwise, such additional Sum as will make the whole duty payable thereon for every Gallon Two Shillings of lawful money as aforesaid, over and above any Duty payable thereon by any Act of the British Parliament, passed prior to the Eighteenth Year of the Reign of His late Majesty King George the Third.
- And for and upon all other Wines, whether the same shall be imported in Bottles or otherwise, such additional sum as will make the whole duty payable thereon, for every Gallon, One Shilling and Six Pence, over and above as aforesaid.
- Bread. For and upon every Hundred Weight of Biscuit or Bread, Two Shillings.
- Crackers. And on Crackers, Cakes, and such like fine Biscuit Bread, imported from the United States of America, the Duty of Four Shillings for every Hundred Weight thereof.
- Apples & Pears For every barrel of Apples and Pears, and other Fruit, and so in proportion for a lesser quantity, Five Shillings.
- Onions For every Hundred Weight of Onions, and so in proportion for the lesser quantity, Two Shillings and Six Pence.
- Tobacco For and upon all manufactured Tobacco, of every description whatsoever, the further additional Duty or sum of Two Pence for each and every pound thereof.
- Spirits of Turpentine and Chocolate For and upon all Oil or Spirits of Turpentine, and upon all Chocolate, the further additional duty of Ten Pounds for every Hundred Pounds of the true and real value of the said Articles respectively.
- Household Furniture, &c. For and upon all manufactures of Wood Work, of the following description, that is to say : for and upon all Household Furniture, Utensils, Carriages, Carts, and all manner of Cabinet Makers, Carpenters, and Wheel Wrights' Work, save and except Farming Utensils, for and upon every Hundred Pounds of the value thereof the sum of Twelve Pounds and Ten Shillings.
- Of Foreign growth or produce **II. And be it further enacted,** That the said duties hereby imposed upon Horses, Cattle, and other live stock, shall be imposed, levied and collected, from and upon all Horses, Cattle and other live stock, of Foreign growth or produce, imported into this Province, from any other British Colony, unless the same when imported shall be accompanied by

a certificate that such Horses, Cattle or Live Stock, are of the growth or produce of some British Possession.

III. *And be it further enacted*, That all the following Seeds, that is to say : Flax seed Hemp Seed, Grass Seed and Garden Seeds of all kinds, shall be free and exempt from all duties of Excise whatsoever. Seeds free of duty

IV. *And be it further enacted*, That all Goods, Wares and Merchandize, imported into this Province, chargeable with duty under the said Act of the Imperial Parliament, or any other such Acts of Parliament, shall also be chargeable with the duties imposed by the Act, passed in the present Session of the General Assembly, entitled, An Act for the further increase of the Revenue of the Province, by continuing and amending an Act of the General Assembly, for raising a duty of Excise, and by the Act thereby continued, over and above the duties by the said Act of the Imperial Parliament, or any other Acts of Parliament imposed, except the several articles herein mentioned and charged with specific duties, and the several articles exempted from duties by the said Provincial Acts, and also except Foreign Brandy, Geneva and Cordials, Foreign Rum and other distilled Spirituous Liquors, which articles are now chargeable with the amount of the Impost duty imposed by the Act passed in the present Session of the General Assembly, payable on Rum and distilled Spirituous Liquors, the produce of the British Dominions, in addition to the duties imposed thereon by the said Act of Parliament, and except also, Indian Corn, Rice, Peas, Beans, and Seeds of all kinds, Hides and Tallow, white Oak Staves, Heading, Hoops and Shingles; and it is hereby declared and enacted, that all Goods, Wares and Merchandise, hereafter imported from any Country or Place, within the limits of the East-India Company's Charter, shall be subject and liable to the duties imposed by the said Provincial Acts, in the same manner only as if such Goods had been imported from Great-Britain and Ireland. Duties in addition to duties imposed by Acts of Parliament

V. *And be it further enacted*, That there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, for and upon the following Articles, not being the growth, produce or manufacture of the United Kingdom of Great-Britain and Ireland, or of His Majesty's Possessions abroad, but of Foreign growth, produce or manufacture, the respective rates, duties and impositions, hereinafter mentioned, that is to say :

For and upon every barrel of Wheat Flour, not weighing more than one hundred and ninety-six pounds net weight, Five Shillings and Eleven Pence half-penny. Duty on Flour, salted Beef or Pork of Foreign growth

For and upon every barrel of salted Beef or salted Pork, of not more than two hundred pounds net weight, One Pound Five Shillings and Seven pence.

And so in proportion for a greater or less quantity of the said Articles respectively.

VI. *And be it further enacted*, That all and singular the said Duties hereby respectively imposed, shall be raised, levied, secured, collected and paid, and shall be applied and appropriated, and drawbacks thereof shall be allowed, in such and the like manner, and by and to such persons, and by the same means and under such and the like penalties, forfeitures, regulations and provisions, as are prescribed, provided and ordained, or from time to time shall be in force, with respect to the Duty of Excise or the Duty of Impost, granted during the present Session of the General Assembly, or as are provided and contained in the second, third, fifth and tenth Sections, except the proviso to the said tenth Section annexed to the Act of the General Assembly, passed in the fourth Year of the Reign of His late Majesty King George the Fourth, entitled, An Act imposing a Duty on Goods, Wares and Merchandize, imported from the United States of America, and for appropriating the same, which said sections of the said Act are hereby revived and continued in force during the continuance of this Act, and all the clauses, provisions, penalties and regulations, of the said Act, and of the several Acts in force with respect to the Provincial Duties of Impost and Excise, and to the Articles respectively chargeable therewith, shall severally and respectively, so far as the same can or may be made applicable thereto, apply to, and regulate, the respective Duties by this Act imposed, and the several Articles chargeable therewith, and according to such directions as the Commissioners of the Revenue may deem it expedient to make in this behalf. Duties paid and applied

Dutiable arti-
cles warehous-
ed

VII. *And be it further enacted*, That whenever any Articles chargeable with Duty under this Act shall be Warehoused in the manner prescribed by the said Act or any other Act of the said Imperial Parliament, then, and in every such case, the party by whom the said Duties were secured shall be allowed credit and further time for the payments due upon his Securities, for such of the articles as there remain, until they shall be taken out of the Warehouse, *Provided always*, that the said articles have not remained in the Warehouse longer than one Year from the date of the Security taken for the Duty thereon, except as is hereinafter provided.

Time of Pay-
ment of Duties
on articles
warehoused
extended

VIII. *Provided always, and be it further enacted*, That when any Foreign Goods, liable to Duty by the said Act or any other such Act of the Imperial Parliament, and also the Duties of Excise under this Act, shall be Warehoused under the provisions of the said Acts, that further time of payment shall be allowed upon the Bonds given for the Duty of Excise secured under this Act, until the same shall be taken out of the Warehouse for consumption, or until the Duties imposed upon such Goods by all or any or either of the said Acts of the Imperial Parliament shall become payable.

Dutiable arti-
cles exported

IX. *And be it further enacted*, That when any Foreign Goods, so liable to duty of Excise as aforesaid, shall be exported from this Province, pursuant to the regulations of the said Act of Parliament, that it shall and may be lawful for the Commissioners of the Revenue, on due proof thereof, to cause the bonds given for the duty of Excise on such goods to be cancelled, or any endorsement to be made thereon, to the amount of the duties on the goods so exported.

And whereas, the Fisheries of this Province and the Trade arising therefrom require encouragement.

Exemptions in
favor of Fish-
eries

X. *Be it therefore enacted*, That it shall and may be lawful for the Commissioners of the Revenue, and they are hereby authorized and required by order of their Board, from time to time, to exempt from the said duty of Excise, imposed by the said Provincial Act, entitled as aforesaid, and the duties imposed by this Act, such other Foreign Goods liable to duty under the said Acts of the Imperial Parliament, and not herein before exempted, as shall appear to them, upon due and satisfactory proof upon oath, to have been actually and *bona fide* purchased or procured with the proceeds of Fish and Fish Oil, caught, cured, and made, by the Inhabitants of this Province, and others employed in the Fisheries thereof, and which shall have been exported in vessels owned and registered in this Province, or belonging to British Merchants engaged in, and carrying on, the Fisheries of the same, all which proof shall be taken in writing, in such way as that the same may be submitted for the inspection of the General Assembly when required.

Duties on arti-
cles consumed
in Fisheries re-
mitted

XI. *And be it further enacted*, That whenever the Importer or Importers of any Wheat Flour, salted Beef or salted Pork, chargeable with duty under this Act, or the party or parties by whom such Duty shall have been secured, shall make it appear, by satisfactory proof either by certificate from the Officers of the Customs or otherwise, to the Collector of Excise for the Port or place where such duties shall have been so secured, that all or any Duties payable or chargeable, or imposed, on the said Flour, or salted Beef, or salted Pork, respectively, under and by virtue of any or either of the said Acts of the Imperial Parliament, have been actually and truly paid, then and in such case, the said Collector of Excise shall forthwith give credit to the said Importer or Importers, Party or Parties, for all duties payable on the said Flour, salted Beef or salted Pork, respectively, under and by virtue of this Act, in the same manner as if such last mentioned Duties had actually been paid to the said Collector of Excise.

Flour intended
for Fisheries

XII. *And be it further enacted*, That whensoever any person owning any Flour, which shall or may have been imported into this Province, in any British Ship or Vessel whereon the Duties imposed and chargeable by this Act shall have been paid or secured, shall intend to sell and dispose of any quantity or quantities of such flour, not less than ten barrels, for the purpose of being used, consumed and expended, by persons actually, truly and *bona fide*, engaged in the Fisheries of this Province, then and in such case, such owner, or some person on his behalf, shall make, subscribe, and leave
with

with the Collector of Excise, the following oath, which oath the said Collector is hereby empowered to administer, that is to say :

I A. B. do swear that Barrels of Flour, imported by in the British Ship or Vessel called the from are actually and truly intended to be used, expended and consumed, in the Fisheries of this Province, or by persons or the families of persons actually, truly and *bona fide*, engaged in such Fisheries, and that I will not knowingly or willingly permit or suffer any part thereof to be used, expended and consumed, in any other way or manner, or for any other purpose ; So help me God.

Affidavit to be made by Importer of Flour intended for Fisheries

And thereupon, the said Collector shall forthwith grant a permit for such Flour in the form following that is to say :

Permit A. B. to sell and dispose of, for the use of the Fisheries, Barrels of Flour, imported in the British Ship from

Given under my Hand at the Excise Office in this day of A. D. 18

C. D. Collector.

XIII. *And be it further enacted*, That after such oath made and left with the Collector as aforesaid, and such Permit granted, the duties secured on the said Flour, specified and mentioned in such Oath and Permit, shall not be demanded by the said Collector of Excise for twelve months from the date of such permit ; and upon the production at any time within the said twelve months of the said Permit, and due and satisfactory proof made in the manner and form as shall be hereafter provided and prescribed, in and by any rules and regulations to be made by the Commissioners of the Revenue with respect thereto, that the said Flour has actually and truly been consumed and expended, and used, in the Fisheries of this Province, or by persons actually, truly and *bona fide*, engaged in such Fisheries, or their families, the Collector of Excise shall give credit for the whole duties secured on the said Flour, in the same manner as if the said Flour had been exported from and out of this Province, or in case the said duties shall or may have been paid, then, upon the transmission of such proof and Permit to the Commissioners of the Revenue and their certificate, it shall and may be lawful for the person or persons, who shall or may have paid such duties, to receive the same from the Treasury of this Province.

Duty on Flour not demanded in less than 12 months

XIV. *And be it further enacted*, That in case any person or persons shall knowingly or willingly suffer or permit any Flour, for which a Permit shall have been granted to such person or persons, for the use of the Fisheries as herein before mentioned, to be used, applied and disposed of, consumed and expended, in any other way or manner, excepting by persons actually, truly and *bona fide*, engaged in the Fisheries of this Province, or their families, such person or persons so offending shall forfeit and pay a penalty of Twenty Pounds, to be sued for, prosecuted, recovered and applied, in the same manner, and by the same means, as fines, penalties and forfeitures, are to be sued for, prosecuted, recovered and applied, under and by virtue of the Act of the last Session of the General Assembly, for granting duties of Impost on Wine, Brandy, Gin, Rum, and other distilled Spirituous Liquors and Brown Sugar.

Violation of Act

XV. *And be it further enacted*, That the Collectors of Impost and Excise throughout the Province, except at the port of Halifax, shall be allowed and paid Two Pounds and Ten Shillings on every Hundred Pounds by them collected and paid within their respective Districts under and by virtue of this Act, and no other or greater fee or percentage whatsoever for such collection and payments.

Allowance to Collectors of Impost and Excise

XVI. *And be it further enacted*, That out of the monies in cash which shall hereafter be collected and paid into the Treasury of the Province, by the Collector of Impost and Excise for the District of Halifax, by virtue of this Act, there shall be allowed and paid to the said Collector the sum of Three Pounds and Ten Shillings for every Hundred Pounds so by him collected and paid into the Treasury, *Provided always*, that if the amount of commission granted by this Act or any other Act of the General Assembly, to the Collector of Impost and Excise for the district of Halifax, shall exceed in the whole the sum of Seven Hundred Pounds for the Year ending on the thirty-first day of March One Thousand Eight Hundred and Thirty-three, the surplus shall be accounted for and paid by the said Collector into the Treasury of the Province.

Allowance to Collector at Halifax

XVII.

Application of
Duties

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

Continuation of
Act

XVIII. *And be it further enacted,* That this Act, and every thing herein contained, shall continue and be in force until the thirty-first day of March, which will be in the Year of our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

CAP. V.

An Act to Regulate and Support the Pictou Academy.

[PASSED THE 30th DAY OF MARCH, 1832.]

Preamble

WHEREAS by the Act, passed in the fifty-sixth year of the Reign of His late Majesty King George the Third, entitled, An Act for Founding, Establishing and Maintaining, an Academy at Pictou, in this Province, and also by the Act, passed in the fifty-ninth year of the reign of His said late Majesty, for repealing and altering part of the said Act first mentioned, certain religious tests, declarations and subscriptions, are required of persons chosen to be Trustees, Masters or Teachers, in the said Academy, and which tests, declarations and subscriptions, have been found prejudicial to the said Academy, and of an injurious tendency in preserving religious distinctions in this Province; *And whereas,* it has been deemed expedient to extend the benefit of Education in the said Academy, to persons of all denominations of Christians, without distinction of sect, and to render the said Academy more extensively useful for the Instruction of Youth, and to provide for the appointment of persons of the several different religious persuasions, to be Trustees of the said Academy, and to make a more effectual provision for the support thereof.

Certain Sections of Act 56th Geo. IV. and whole of Act 59th Geo. IV. repealed

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the second, third, fourth, fifth, sixth and eighth Sections or Clauses of the said Act of the fifty-sixth year of His said late Majesty's Reign, entitled, An Act for Founding, Establishing and Maintaining, an Academy at Pictou in this Province, and also the whole of the said Act of the fifty-ninth year of His said late Majesty's Reign, passed to repeal and alter part of the said Act shall be, and the same are hereby wholly, repealed, and in future no religious test, declaration or subscription, whatsoever, shall be required to be taken or made by any Trustee or Teacher, in the said Academy, as a qualification for Office.

Trustees of Academy may hold Lands, &c. and sell or mortgage the same

II. *And be it further enacted,* That it shall be lawful for the Trustees of the said Academy, to hold Lands and hereditaments for the use and benefit thereof, in any part of this Province, not exceeding the yearly value of Two Thousand Pounds at any one time, and the said Trustees shall and may sell, mortgage and dispose of, the same Lands, when, and as, it shall be deemed beneficial for the said corporation.

Trustees for management of Academy

III. *And be it further enacted,* That on or before the first day of July next, the acting Trustees now or then being of the said Academy, shall assemble together, and, from and out of their present number, select and choose seven persons to be and continue Trustees for the said Academy, of whom the Reverend Thomas McCulloch, the Principal of the said Academy, and who was one of the Founders thereof, and hath always presided over the same, shall be one, and all the other Trustees shall on that day cease to be acting Trustees, but shall continue and remain Honorary Trustees of the said Academy, not entitled to vote or interfere in the management of the same, and shall be absolutely divested of all Estate and Interest in the Lands, Funds and Property, thereof, and the names of the said seven Trustees shall be certified to His Excellency the Lieutenant-Governor or Commander in Chief, for the time being, on or before the said first day of July next.

IV. *Provided always, and be it further enacted,* That if the said acting Trustees of the said Academy shall not, on or before the said first day of July next, select seven of their number to be and remain as the remaining and acting Trustees of the said Academy, as herein before required, and so certify the same to His Excellency the Lieutenant-Governor or Commander in Chief for the time being, as aforesaid, it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the time being to nominate and appoint, out of the present acting Trustees, seven of their number to be the remaining and acting Trustees of the said Academy, of whom the said Reverend Thomas McCulloch shall be one, and thereupon all the other Trustees, except the seven so nominated and appointed, shall cease to be acting Trustees, but shall remain Honorary Trustees of the said Academy, not entitled to vote or interfere in the management of the same, and shall be divested of all estate and interest as aforesaid.

Trust not completed by 1st July

V. *And be it further enacted,* That, instead of the Trustees so going out of Office, the Right Reverend William Fraser, Doctor in Divinity, Bishop of Tanen, and four other persons, such as the Governor, Lieutenant-Governor or Commander in Chief for the time being, shall select and appoint for that purpose, shall be and they are hereby appointed Trustees of the said Academy, and shall come into office as of the said first day of July next.

The Rt. Rev. the Bishop of Tanen, and four other Persons to be Trustees

VI. *And be it further enacted,* That after the said day, the said Trustees shall meet together and appoint one of their number to be Chairman, and all questions, except as hereinafter provided, shall be decided by a majority of the Trustees present at any Meeting.

Chairman of Trustees to be appointed

VII. *And be it further enacted,* That the said seven remaining Trustees, to be selected as hereinbefore mentioned, together with the said five Trustees to be appointed under and by virtue of this Act, shall be Trustees of the said Academy, with all the powers, authority, privileges and liabilities, of the Trustees of the said Institution, in the same manner, and to the same extent, in all respects, as if they had been originally named and incorporated, in and by the Act and Charter passed, made and granted, for Founding, Establishing and Maintaining, the said Academy.

Questions how decided

VIII. *And be it further enacted,* That the higher branches of Learning and Education to which Instruction in the said Academy has hitherto been confined, shall continue to be taught as has been hitherto practised, and according to the design of the original Subscribers to the said Institution.

Higher Branches of Education to be taught as hitherto

IX. *And be it further enacted,* That, in addition to the above mentioned branches, Instruction shall also be given in the Languages, and in all the Elementary branches of Learning usually taught in Grammar Schools, including in the course of Education therein, the Modern Languages and the practical application of the Mathematics, or such other branches as may be determined on by the Trustees, and that a Master or Teacher be appointed to give such Instruction on or before the first day of July next.

Elementary Branches to be taught

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

If Academy is insufficient, House to be provided for Instruction in lower Branches

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

XI. *Be it therefore enacted,* That no Theological Lectures shall be delivered in the said Academy, nor shall there be any class of Students in Divinity taught therein ; *Provided always,* that nothing herein contained, shall be construed to prevent any Professor or Teacher from giving Theological Lectures, or forming a Divinity Class, unconnected with the said Academy, in any other part of the Town or District of Pictou, at such time or times as shall not interfere with the performance of his or their duties in the said Academy ; *And provided also,* that three fourths of the said Trustees may permit any such Lectures to be given, or class taught, in any Lecture Room or apartment of the said Academy, when and at such times as the same may not be in use, or required for any other Lectures or Classes usually given therein.

Theological Lectures

XII.

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Visitor or Visitors of Academy may be appointed

XII. And be it further enacted, That it shall be lawful for the Lieutenant-Governor or Commander in Chief for the time being, when and as often as he shall deem it expedient or proper, to nominate and appoint a Visitor or Visitors for the said Academy, who shall be a person or persons not resident in the said District and wholly unconnected with the said corporation, and who shall inspect the existing state of the said Institution, in regard to its Bye-Laws, Funds, Teachers, Students, and proceedings of the Trustees, and report thereupon, for the information of the several branches of the Legislature.

Death, resignation, &c. of Trustees

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

Vacancies in trust how filled up

XIV. And be it further enacted, That to supply any vacancy or vacancies occasioned as aforesaid, the choice of any future Trustee or Trustees of the said Academy shall be made by the votes of the two thirds at least of the whole number of Trustees present at the meeting for such Election, and shall be certified to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, and if he shall disapprove of such choice within three Months after the same is certified to him, then the said Trustees shall proceed to choose another Trustee, instead of the party disallowed, and shall certify such second choice in manner as aforesaid; and if the person so elected a Trustee, shall also be disallowed within three Months after the Election certified as aforesaid, then the vacancy in the Trust shall be filled up, and a Trustee appointed by the Lieutenant-Governor or Commander in Chief, for the time being; and in case the said Trustees shall not elect any person to fill such vacancy in manner aforesaid, within six Months after such vacancy shall have occurred, then the said vacancy shall also be filled up by the Governor, Lieutenant-Governor, or Commander in Chief, for the time being.

Endowment of Academy

XV. And be it further enacted, That, towards the support and endowment of the said Pictou Academy, there shall be granted and paid to the Trustees in each and every year which shall be and elapse, until the thirty-first day of December, which will be in the year of our Lord One Thousand Eight Hundred and Forty-Two, the full yearly annuity of Four Hundred Pounds, of lawful Money of Nova-Scotia, to be issuable and payable from the Treasury of this Province, in four equal quarterly payments in every year, to be drawn for by warrant of the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, and to be payable on the usual quarter days, and the first quarter thereof to commence and be accounted from the first day of the present year; and out of which said annuity, the sum of Two Hundred and Fifty Pounds Currency shall be paid to the said Reverend Thomas McCulloch, Doctor in Divinity, the Principal of the said Academy, in each and every year during his continuance in such Office; and a further sum of One Hundred Pounds shall be paid out of the said annuity to the Master herein directed to be appointed by the said Trustees to give instruction in the lower branches of learning; and the residue of the annuity to be applied for the support and maintenance of the said Academy, in such way as the Trustees thereof shall deem proper.

Salary to Teacher of lower branches

CAP. VI.

An Act to increase and establish the number of Representatives to be elected for the County of Cape-Breton, and the Townships of Arichat and Sydney.

[PASSED THE 30th DAY OF MARCH, 1832.]

Preamble.

WHEREAS, the great increase of Population, and advancement of the Commerce, Agriculture and Fisheries, of Cape-Breton, render it expedient and just, that the Freeholders be authorised to elect a greater number of Representatives to serve in General Assembly.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, immediately after this Act shall be in force, to cause a Writ or Writs to be issued in the usual manner, to the Sheriff of the said County of Cape-Breton, for the Election of three additional Members, to be returned from the said County, to serve as Representatives in the General Assembly, that is to say, for the County of Cape-Breton, one additional Member; for the Township of Arichat one Member; and for the Township of Sydney, one Member.*

Representation
of Cape-Breton
increased

II. *And be it further enacted, That this Act shall not be of any force or effect until His Majesty's Assent thereto shall have been duly signified.*

His Majesty's
assent to to this
Act necessary

CAP. VII.

An Act concerning Rates and Assessments on certain Dyked Marsh Lands in Cornwallis.

[PASSED THE 30th DAY OF MARCH, 1832.]

WHEREAS, about the Year of Our Lord One Thousand Seven Hundred and Eighty-four, certain large tracts of Marsh Land situate upon the River called the Canard, within the Township of Cornwallis, in King's County, and then and still known by the name of the Grand Dyke, and comprehending, within the same, the Lands denominated the Upper Dyke and the Middle Dyke, all which now stand rated as One Thousand Three Hundred and Eighteen assized Acres, or thereabouts, were, by the authority of the Commissioners of Sewers, then being of the said Township, and at the common charge of the respective Proprietors of the said Lands, secured and protected from the Tide-Waters of the said River and Sea, by certain Sea-Walls, Dykes or Embankments, and by certain Aboiteaux, across the said River and its Channels, erected and extending from the said River to the Upland on the East and West sides thereof, all which said works and constructions are called the Grand Dyke; and whereby, as also by certain repairs and additions thereto, subsequently made at the common charge aforesaid, the said tracts of Land were and have been preserved from the Sea, and in cultivation; *And whereas*, after the erection of the said Grand Dyke, another tract of Marsh Land below and outside of the same, and lying on the East side of the said River, and now rated Thirty-six assized Acres and one half Acre, and known as the Union Dyke, was, by the proprietors thereof, also dyked, enclosed and protected, from the said Waters, and rendered fit for cultivation; *And whereas*, also afterwards, about the Year One Thousand Eight Hundred and Nine, the proprietors then being of certain other large tracts of Marsh Land, lying on both sides of the said River, and next adjoining to, and immediately below, the said Grand Dyke and Union Dyke, so called, and now rated as Five Hundred and Twelve assized acres and one half acre, did consent and agree to undertake the Dyking, and redeeming, the same from the waters aforesaid; and the said work having been undertaken and commenced under the authority of the Commissioners of Sewers, then being for the said Township, was, after various delays, finally completed in the Year One Thousand Eight Hundred and Twenty-five, by the Commissioners of Sewers then in Office, and the said last mentioned tract of Land then designated the Wellington Dyke, by a certain large Aboiteau or embankment across the Channel of the said River, constructed at a great expense, and by the Sea Walls, Dykes and Embankments, therewith, and, with the Upland connected and called the Wellington Dyke, was not only effectually enclosed and protected from the tide waters of the said River and Sea, redeemed therefrom, and rendered of great value, and fit for the purposes of Agriculture; but also the said Tracts, called the Grand Dyke and Union Dyke, were further and entirely secured from the said waters, and certain parts thereof drained and improved in consequence of the works of the Wellington Dyke being below and defending the same from the waters

Preamble

aforesaid ; *And whereas*, about the fourteenth day of July, One Thousand Eight Hundred and Twenty-five, divers Persons, Freeholders, from the adjacent Township, duly appointed and sworn to appraise and estimate the sums of money which the Lands included within the said Grand Dyke and Union Dyke should respectively bear and contribute towards the payment of the sum expended in building the works of the Wellington Dyke, did find, and so report to the said Commissioners of Sewers, that the sum of Eleven Hundred and Fifty Pounds should therefor be rated and assessed on the said Lands, called the Grand Dyke, and the sum of Twenty-two Pounds and Ten Shillings on the said Lands called the Union Dyke ; *And whereas*, the said sum of Twenty-two Pounds and Ten Shillings was not assessed upon the said Union Dyke, but in and by a certain dyke rate, by the said Commissioners of Sewers made and ordered, bearing date the Twenty-eighth day of January, One Thousand Eight Hundred and Twenty-six, the said sum of Eleven Hundred and Fifty Pounds, towards paying the sum expended in building the works of the Wellington Dyke, together with One Hundred and Forty-nine Pounds Ten Shillings and Three Pence, expended for repairs of the running Dyke and Sluices of the Grand Dyke and other expenses, to the date of the said rate, making, with the charge of collecting, One Thousand Three Hundred and One Pounds Three Shillings and Three Pence half-penny currency, were ordered to be, and were by the said Commissioners, rated and assessed upon certain parts of the said Land, called the Grand Dyke, at the rate of Seventeen Shillings and Eleven Pence for each acre, and, upon other parts of the said Land called Flats, at the rate of Seven Pounds for each acre, and a Collector was appointed for the same rate, as in such cases is provided ; *And whereas*, in and by a certain other Dyke rate, by the said Commissioners of Sewers made and ordered, and bearing date the said Twenty-eighth day of January, in the Year last aforesaid, after deducting the said sums of Twenty-two Pounds and Ten Shillings, and Eleven Hundred and Fifty Pounds from the amount of the expenses of building the works of the said Wellington Dyke, and other necessary expenses to the date of the said rate, the balance of the said expenses, amounting, with certain other charges, to Nineteen Thousand Five Hundred and Thirty-five Pounds Eighteen Shillings and Eight Pence half-penny currency, was ordered to be, and was by the said Commissioners, rated and assessed upon the said Lands called the said Wellington Dyke, at and after the rate of Thirty-eight Pounds Two Shillings and Three Pence for each and every acre thereof ; and a Collector was appointed for the same rate as in such cases is provided ; *And whereas*, under and by virtue of the said two several Dyke rates which were duly assessed on the respective Lands, the greater part of the said sums of money so assessed have been collected from, and paid by, the said respective proprietors of Lands in the said Wellington Dyke and the Grand Dyke, or been levied by sale of the Lands so rated, and there remains now due and payable under the said Dyke rates, the sum of Four Hundred and Ninety-nine Pounds, or thereabouts, from proprietors within the said Grand Dyke, and the sum of Nine Hundred and Ninety-four Pounds, or thereabouts, from proprietors within the said Wellington Dyke ; which sums of money are parcel of the expenses incurred under and by authority of the said Commissioners, in and about the works of the Wellington Dyke aforesaid ; *And whereas*, divers suits at Law and in Equity have been prosecuted for the recovery of, or in consequence of proceeding to recover, the residue of the rates aforesaid ; and it hath been decided, that Lands within the said Grand Dyke and Union Dyke were not liable to be rated towards the expense of the said Wellington Dyke ; *And whereas*, it is expedient to alter the Law in this respect, so as to render the lands lying within the said Grand Dyke and Union Dyke liable to the repairs of the said Wellington Dyke, to the extent hereinafter mentioned ; *And whereas*, an Act of this General Assembly, passed in the first year of His present Majesty's Reign, entitled, An Act for the appointment of Commissioners to report upon the advantages that may be derived to the Proprietors of the Grand Dyke and Union Dyke, in the Township of Cornwallis, by the building of the Wellington Dyke, after reciting in part to the effect as herein before is set forth ; and that it was reasonable and just that the owners of land lying

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lying within the Grand Dyke and Union Dyke should contribute towards the expense of the Wellington Dyke, in proportion to the benefit derived or to be derived to them from the building thereof; the Lieutenant-Governor was authorized, with the advice and consent of His Majesty's Council, to appoint and commission Five Persons to be Commissioners for the purposes in that Act mentioned, which Commissioners were thereby empowered to examine, on Oath, and investigate as well the original agreements for the building of the said Wellington Dyke, as also all subsequent agreements and undertakings in respect thereto, and to enquire particularly into the advantages which all or any of the Marsh Lands, lying within the said Grand Dyke and Union Dyke, had theretofore derived, or were likely to derive thereafter, from the completion of the said work, and to make a statement thereof, and to return the same into the office of the Secretary of the Province, to be laid before the Legislature at the next meeting thereof, as in and by the said Act will, on reference thereto, at large appear; *And whereas*, in pursuance of the said Act, five Commissioners were duly appointed for the purposes therein mentioned, who did execute the duties, and make the enquiries, to them committed, and make and return their report thereupon, as by the said Act is directed; and, among other things, did find and report that the owners of the largest parts of the Land in the said Grand Dyke, and the majority of the owners of Lands therein, did agree and consent to the building of the said Wellington Dyke, and to contribute to the expense thereof; and the said Commissioners did return and report authenticated copies of such agreements and other proceedings, touching the building of the said Wellington Dyke, together with copies of the said two Dyke rates; and did adjudge and report their opinion that, at the date of the said Dyke rates, the sum of Twenty-two Pounds and Ten Shillings was the proportion of benefit accrued to the owners of the Union Dyke, from the building of the Wellington Dyke, and the sum of Eleven Hundred and Fifty Pounds, the proportion of benefit accrued to the owners of the Grand Dyke therefrom; and further, that in future the common repairs required by, and under ordinary circumstances probably to be incurred upon, the Wellington Dyke, will benefit the whole level above it; and that the expense of such repairs not exceeding Five Shillings for each qualified or assized acre, should, and ought to, be rated equally on the whole level, which level includes all the Lands on the said River within the Wellington Dyke, Union Dyke, and Grand Dyke, above the same, as in and by the said Report will at large appear; *And whereas*, it is expedient to provide for the collection of the arrears of the aforesaid assessments, and to terminate all disputes and differences touching the premises herein before recited:

I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That the said two several Dyked rates, herein before recited to have been made and ordered by the said Commissioners of Sewers, and bearing date the Twenty-eighth day of January, One Thousand Eight Hundred and Twenty-six, that is to say:—for the sum of One Thousand Three Hundred and One Pounds Three Shillings and Three Pence half-penny, upon the Lands called the Grand Dyke, and for the sum of Nineteen Thousand Five Hundred and Thirty-Five Pounds Eighteen Shillings and Eight Pence half-penny upon the Lands called the Wellington Dyke, and the rating, assessments and apportionment, of the said respective rates upon the Lands respectively, and proprietors thereof, within the said Grand Dyke and Wellington Dyke, and all the payments, levies, sales and proceedings whatsoever, for, touching or concerning, the said Dyke rates or the assessments thereof, on the Lands or Proprietors rated or assessed towards the same, as aforesaid, or for or concerning the purchases and conveyances of any Lands within the said Dykes, for non-payment of the said rates, by whomsoever or howsoever such purchase may have been made, or for or concerning the recovery, receipt or application, of the respective sums of money rated, assessed, levied or prosecuted for, against the said Lands or the Proprietors, in the said two several Dyke rates mentioned or any or either of them, shall be, and the same are hereby, ratified and confirmed, and declared to be good, valid and effectual, to all intents and purposes whatsoever; and it shall and may be lawful, to and for any the Commissioners of Sewers of the said Township,

Grand Dyke
and Wellington
Dyke rates
confirmed

ship, for the time being, to order and enforce the payment of all arrears whatsoever now due and owing upon the said two Dyke rates or assessments from the Lands and Persons liable for or assessed as aforesaid, to the payments of the said arrears, and to sue for, or recover, collect and receive, all such arrears, by such proceedings, ways and means, and whether by sale of the Lands assessed or otherwise, by the Laws now in force, are provided for the recovery of Dyke rates and assessments, and all such arrears and sums of Money, when so recovered, shall be paid and applied by the said Commissioners, in satisfaction of the several claims and demands now unsatisfied and subsisting in respect of the expences of the works aforesaid; *Provided always*, that if, upon sale made of any Lands so rated as aforesaid, for enforcing payment of the assessments thereon, the proceeds of the sale shall be insufficient to pay the rate, then, and in every such case, the party so rated, shall not be liable to the payment of such deficiency, but the same shall be supplied by, and included, in some other general rate as hereinafter is provided.

Commissioners
of Sewers to
tax Lands in
Union Dyke

II. *And be it further enacted*, That it shall and may be lawful to and for the Commissioners of Sewers for the Township aforesaid, to rate and tax the Lands in the said Union Dyke, and the respective Proprietors thereof, for and towards the payment of, and with the said sum of Twenty-two Pounds and Ten Shillings, so reported as aforesaid to be the benefit accrued to the said Union Dyke from the building of the Wellington Dyke, and also for the expenses of assessing and apportioning the same, to and upon the Lands and Proprietors therein, and collecting the said sum of money, and to make and order a Dyke rate therefor, upon the said Lands and Proprietors in the Union Dyke, and to enforce and cause the same to be collected in such manner, and by such ways, means and proceedings, as by Law are provided, for the rating, assessing, collecting and enforcing, other Dyke taxes and assessments.

Expenses of re-
pairs hereafter
to be made to
Wellington
Dyke defrayed

III. *And be it further enacted*, That all sums of Money, Costs, Charges and Expenses, which shall or may at any time hereafter be paid, laid out, incurred or expended, by or for the necessary repairs of the Aboiteau, Sea Walls, Dykes or Embankments, of the said Wellington Dyke, or any part thereof, or for towards or in respect of the necessary charges of maintaining, securing or defending, the same, or any of the works aforesaid, or any constructions, drains or works, hereafter deemed necessary for the defence of the said Wellington Dyke, or towards any charges and expenses therewith connected, shall be, and the same are hereby ordered and required to be, levied, rated and assessed, by the Commissioners of Sewers for the time being, to, upon, and among, the Lands, and Proprietors of Lands, lying within the whole level above the said Wellington Dyke, the said level including the said Wellington Dyke, Union Dyke, Grand Dyke, Middle and Upper Dykes, aforesaid, and all the said Lands and the Proprietors thereof shall be and the same are hereby, made subject and liable to be rated and assessed for and towards all such sums of Money, Costs, Charges and Expenses, to be incurred as aforesaid, in respect of the repairs and support of the said Wellington Dyke; *Provided always*, that all such sums, costs, charges and expenses, shall be incurred by and under the authority of the Commissioners of Sewers, for the time being, or the major part of them, and be authorised, approved, allowed and assessed, by them, as by Law is or may be provided; *And provided also*, that the first dyke rate to be made therefor, shall not be made or ordered for any larger tax or sum than Five Shillings, of lawful money of Nova-Scotia. for and upon each and every assized or qualified acre, within the said level, and that no other and future dyke rate therefor, shall be made or ordered upon the said level, for any greater sum than Five Shillings on each assized acre, within any one year.

Proviso

Costs of repairs
to Wellington
Dyke exceed-
ing 5s. per acre

IV. *And be it further enacted*, That if the sums of money, costs, charges and expenses, incurred, or to be incurred in respect of the repairs and maintenance of the said Wellington Dyke, at the time of making the first dyke rate, now authorized on the said level, or any subsequent dyke rate therefor, shall exceed or amount to a larger sum than the said tax of Five Shillings for each acre will suffice to pay, then, and in every such case, all such surplus or excess over Five Shillings, for each acre in the whole level, shall be borne and paid by, and shall be rated and assessed upon, the Lands and Proprietors within the said Wellington Dyke alone, and not upon the whole level aforesaid. VI.

VI. *And be it further enacted*, That all other costs, charges and expenses, except the costs, charges and expenses, of the suits at Law and in Equity, incurred since the said twenty-eighth day of January, One Thousand Eight Hundred and Twenty-six, by or under the authority of the Commissioners of Sewers, for the time being, for and in respect of the Lands within the whole level aforesaid, shall be borne by the Proprietors of the Lands lying between the Grand Dyke and the Wellington Dyke only, and not by the Proprietors of Land within the Grand Dyke or Union Dyke.

Costs incurred since 28th Jan. 1826, how defrayed

And whereas, for enforcing payment of divers rates or taxes, assessed upon Lands and Proprietors within the Wellington Dyke, by the said dyke rate of One Thousand Eight Hundred and Twenty-six, divers parcels of the said Land have been sold and disposed of at Public Auction, under the authority of the said Commissioners, and the net proceeds of such sales found insufficient to discharge the whole rate or tax upon the said Lands respectively, and several balances of such taxes thereby remain deficient and unpaid.

VII. *Be it therefore enacted*, That it shall be lawful for the Commissioners of Sewers, for the time being, and they are hereby required, to ascertain and settle the amount of all such balances which remain unpaid by the sales of the Lands so respectively sold as aforesaid for non-payment of the Dyke rates thereon, and also the amount of all such balances as shall hereafter remain unsatisfied, after any future sale of Lands within the said Wellington Dyke, by order of the said Commissioners, for non-payment of the proportion thereon, assessed under the rate so made in One Thousand Eight Hundred and Twenty-six, and all such balances of the taxes so assessed, remaining or hereafter to remain deficient as aforesaid, after crediting to and against such taxes, all payments or orders made or given, on account thereof, which payments and orders are to be deemed part payments of the said taxes respectively, shall be rated and assessed by the said Commissioners upon, and shall be borne and paid by, the Lands and Proprietors within the Wellington Dyke only, and no part thereof by the Proprietors of Lands lying within the Grand Dyke and Union Dyke.

Balances due on Rates by this Act confirmed

And whereas, doubts are entertained whether the Goods and Chattels of any Proprietor of Dyke Lands, refusing to pay his proportion of the Dyke tax thereon, may be legally distrained; for such rate, otherwise than on the particular Land rated :

VIII. *Be it therefore declared and enacted*, That whenever hereafter the owner of Lands assessed for any Dyke rate or Tax, shall neglect or refuse to pay his proportion thereof, and a warrant to distrain therefor shall be issued, then and in every such case it shall be lawful to levy upon, and seize under such warrant, any Goods and Chattels whatsoever, of such delinquent Proprietor, or his or her representatives or assigns, found or being in any part of the level where such Dyke rate hath been ordered, but not elsewhere, nor out of the said level.

Goods and Chattels liable for the payment of Dyke Rates

CAP. VIII.

An Act to alter and continue the Act for granting to His Majesty certain Duties of Impost on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, and Brown Sugar, for the Support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province.

[PASSED THE 30th DAY OF MARCH, 1832.]

B *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That an Act, passed in the last Session of the General Assembly, entitled, An Act for granting to His Majesty certain Duties of Impost on Wine, Brandy, Gin, Rum, and other distilled

Act of last Session continued with exception

distilled Spirituous Liquors, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province, and every matter, clause and thing, therein contained, save and except the first clause thereof, and except so far as the same is or may be hereinafter altered or amended, shall be continued, and the same, except as aforesaid, are hereby continued from the Thirty-first day of March, in the present Year of Our Lord One Thousand Eight Hundred and Thirty-two, to the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

Duties

II. *And be it further enacted*, That, instead and in lieu of the Duties in and by the first clause of the said Act imposed, there shall be substituted, raised, levied, collected and paid, to His Majesty, His Heirs and Successors, upon the articles hereinafter mentioned, the respective Duties, Rates and Impositions, following, that is to say :

For and upon the following articles imported or brought into this Province, that is to say :—

On Wines

For and upon Champagne, Madeira, Port, Claret, Lisbon, Burgundy, Hock and Sherry Wines, respectively, Two Shillings per Gallon.

On Brandy.

For and upon all other Wines, One Shilling and six-pence per Gallon.

Gin, &c. manufacture of United Kingdom

For and upon all Brandy, Gin, and Spirits, the Manufacture of the United Kingdom, One Shilling and four-pence per Gallon.

On other Brandy, Gin, &c.

For and upon all other Brandy, Gin and Cordials, one Shilling and four pence per Gallon.

Shrub

For and upon all Shrub, One Shilling per Gallon.

Rum

For and upon all Rum, or other distilled Spirituous Liquors, One Shilling per Gallon.

Sugar

For and upon every Hundred Weight of Sugar, Two Shillings and six pence.

Liquors distilled in Province

For and upon the following articles manufactured within this Province, that is to say :—

For and upon all Brandy, Gin or other Spirituous Liquors, (save and except Rum or Spirits, distilled from Molasses or Grain, or Fruit,) which shall be by any way or method whatsoever, manufactured, compounded, and extracted, distilled or made, in this Province, One Shilling and four-pence per Gallon.

For and upon all Rum or Spirits distilled from Molasses, Grain or Fruit, seven pence per Gallon.

All which Duties shall be paid by the Importer or Importers, Manufacturer or Manufacturers, of such articles respectively, and shall be collected and secured by the means and under the Regulations and Penalties, and shall be drawn back on exportation, in the way and manner, in and by the said herein before recited and continued Act, provided and contained.

Continuation of Act

III. *And be it further enacted*, That this Act shall continue and be in force from the Thirty-first day of March, in the present year One Thousand Eight Hundred and Thirty-two, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

CAP. IX.

An Act to authorize the Commissioners of Streets at Halifax to borrow Money for certain purposes.

[PASSED THE 14th DAY OF APRIL, 1832]

Commissioners of Streets in Halifax authorized to borrow Money

BE it enacted by the Lieutenant-Governor, the Council and Assembly, That, from and immediately after the passing of this Act, and that, for and towards the formation and construction of the several public Drains and Sewers, required for the drainage of the Town of Halifax, and which shall be found necessary, or ordered to be opened and built through the Main Streets of Halifax, and for the general improvement of the Roads

Roads and Streets of the Town and Peninsula, it shall and may be lawful, for the Commissioners of the Streets and Highways of the Town of Halifax, to raise and take up, by way of Loan, and borrow, upon the security or pledge of the Funds to be raised under and by virtue of any Act for granting Duties on Licences, or of any other Funds which may be payable to the Commissioners of Streets, or appropriated for the repairs or improvement of the said Streets, and from any person or persons willing to advance and lend the same, any sums of Money, not exceeding, in the whole, the sum of Ten Thousand Pounds of lawful Money of Nova-Scotia, and at and under such rates of Interest for the whole or any part of the said Loan, not exceeding Six Pounds per Centum per Annum, as the said Commissioners, or the major part of them, shall agree for, fix and establish, with the parties who shall lend or advance the same respectively.

II. *And be it further enacted*, That all and singular, the Funds and Monies whatsoever payable or appropriated, or hereafter to be payable or appropriated for the use, benefit, repairs or improvement, of the said Streets or Highways, whether such Funds or Monies arise from or be produced by the compositions paid or payable from or by persons liable to perform labor on the Highways, under any existing or future Act or Acts of the General Assembly concerning Highways, whatsoever, or from or by any penalties incurred under such Act or Acts, or from the labor thereby required to be performed, or whether such Funds arise from the Duties paid or payable by persons Licenced to sell Spirituous Liquors within the Town or Peninsula of Halifax, or from or by any other payment or receipts whatsoever, shall be, and the same are hereby, severally and respectively made liable to, and are specifically charged with and preferably made liable to and chargeable with the said Monies so to be borrowed as aforesaid, and all interest Monies due or to become due thereon, according to the stipulations of the original Loans thereof, respectively, until the whole of the principal Money, so to be borrowed, and all interest Money to grow due thereon, shall have been fully paid off, and discharged.

License Duties,
Road Money.
&c. made liable
for Loan

III. *And be it further enacted*, That the said Commissioners shall be, and they are hereby, authorised and empowered to grant and issue to the respective persons who shall so lend and advance Money for the purposes aforesaid, Certificates in the form and to the effect contained and set forth in the Schedule to this Act annexed, which certificates shall be issued for sums of not less than One Hundred Pounds, respectively, and shall express therein the rate of interest agreed to be paid, and the day of the Month and year in which they shall be respectively issued, and shall be numbered in succession, from one upwards, and shall be signed by the Chairman for the time being, of the said Board of Commissioners, and be countersigned by two others of the same Board; and shall be assignable and transferable by indorsment of the parties to whom the certificates shall be respectively issued, who shall immediately thereafter give Notice thereof to the said Commissioners,

Loan Certifi-
cates to be
granted

IV. *And be it further enacted*, That the Interest on the said certificates shall be payable half yearly, on the last days of June and December in every year, at the Office of the said Commissioners, and that the repayment of the whole principal money borrowed shall be made by annual Instalments thereof, not less than ten per cent upon the said respective certificates, in one year; and the said Commissioners shall not be required to commence the payment of the said Instalments until after the expiration of three years, from the date of the said certificates, respectively,; *Provided always*, that the said Commissioners shall have the option of paying any Instalments upon the said certificates or the whole amount due upon any of the said certificates, at any earlier period than that herein before mentioned, if they shall think proper so to do, and that the public service will be benefitted by so doing.

Payment of In-
terest due on
Certificates

V. *And be it further enacted*, That the said Commissioners shall, and they are hereby required to, enter in a Book, to be by them provided and kept for the purpose, a list of the certificates so to be issued as aforesaid, specifying the numbers and dates thereof, and the names of the persons to whom, and the sums and rates of Interest for which they were respectively issued, and shall and are hereby required in every successive year, during the continuance of the said Loan, from and out of any funds whatsoever, in their hands or power, or under their control, for the use and benefit of the said Streets

Commissioners
to enter List of
Certificates in
Book

as aforesaid, for that year, first and preferably to all other payments, to retain and set apart the full sum of Interest due and payable in such year, upon the certificates then issued and outstanding for the said Loan, and such Interest the said Commissioners shall in the respective last days of June and December, in that year, or on demand thereafter, pay to the bearer of such certificates respectively, on production thereof to the Commissioners, and the payment thereof shall be indorsed on such certificates respectively.

Interest may be sued for

VI. *And be it further enacted*, That on neglect or failure by the said Commissioners, to pay the Interest on any such certificate, to the party lawfully entitled thereto, and after demand made as aforesaid, such party shall be, and is hereby, authorized to sue, and proceed against the said Commissioners for the recovery of the said interest in like manner as if the same were a debt owing by the said Commissioners to such party, for money received by them to their use; *Provided always, and be it further enacted*, that nothing herein contained, shall extend or be construed to extend, to render the said Commissioners for the time being, or any of them personally liable for the repayment of any part of the principal of the said Loan; *And provided also*, that in case the whole amount of funds, intended to be applied under the authority of this Act, should in any year, during the continuance thereof, prove insufficient for the payment of the interest which may become due as aforesaid, then, and in such case, the Commissioners shall be discharged from any personal liability, beyond the amount which may come into their hands.

Accounts of Commissioners of Streets to be audited

VII. *And be it further enacted*, That, henceforth, all the accounts, payments, receipts and proceedings, whatsoever, of the said Commissioners of Streets, touching and concerning the affairs and business of their office, and in and about the repairs and improvement of the Streets aforesaid, or the construction of the public Drains or Sewers therein, or in any way relating to the expenditure of the monies to be borrowed under the authority of this Act, shall be annually submitted to, and audited by and under the direction and authority of the General Quarter Sessions, and of the Grand Jury of the County of Halifax, in like manner as other public accounts for Town or County charges are by them examined and audited in every year.

Money borrowed to be preferably employed in construction of Drains and Sewers

VIII. *And be it further enacted*, That all sums of Money by the said Commissioners raised and borrowed under the powers and authorities of this Act, shall be faithfully and specially applied and expended by them, first and preferably in and about the construction and completion of the public Drains and Sewers, commenced or found necessary to be performed in the Streets of the Town of Halifax, and also, for and about the improvement of the Streets aforesaid, and to and for no other use or purpose whatsoever.

And whereas, it will be of great public benefit as well as of great personal advantage to persons owning Lots of Land, fronting Easterly on the Streets of Halifax, to have Drains or Sewers formed on the Western side of the said Streets, of sufficient depth to drain the Cellars belonging to Houses so situated, and to receive the drainage and to convey the impure water from the Yards appertaining to such premises.

Owners of Lands to contribute to expenses of Public Drains

IX. *Be it therefore enacted, by the authority aforesaid*, That whenever the Commissioners of Streets shall deem it expedient to cause a Sewer or Drain to be formed on the Western side of any Street or Streets in Halifax, they shall cause a Notice of such intention to be posted up in some conspicuous part of the Property near to which it is intended to form such Sewer, requiring all persons interested in the Block or Square of Lots lying to the westward of such intended Drain or Sewer, to meet the Commissioners of Streets, at such time and place as may be specified in such Notice; and the said persons, or the majority of them, when so assembled, shall nominate and appoint one person, not interested in the Lands included in such Block or Square, and the Commissioners of Streets shall name one other person, or in case such Proprietors shall at such time and place neglect or refuse to appoint one person for such purpose, then the Commissioners of Streets shall name one person, and the Justices of the Peace in General or Special Session in Halifax, or such persons as they shall nominate for such purpose, shall choose two other persons, which three persons so chosen, or any two of them, shall have full

power

power to assess, and they are hereby required to assess, the Proprietors of the Property contained in such Block or Square, in such proportion as they shall deem just and fair, to be paid by the respective Proprietors of the said Land, to defray the expense of forming such Drain or Sewer, one equal half-part of which expense shall be paid and contributed by the Owners of such Lands, in the respective proportions so assessed by referees so chosen as aforesaid, and the other equal half-part of such expense shall be paid by the said Commissioners, out of the Funds which may be at their disposal; And in case any person shall neglect or refuse to pay the sum so assessed upon the Property by him owned in such Block or Square, the said Commissioners shall and may sue for and recover the same, before any two Magistrates of the County of Halifax, and the said assessment shall be deemed and be taken to be good evidence of such debt against the party so refusing to pay the same.

X. *And be it further enacted*, That in case the owner or owners of any Lots of Land, which shall be so assessed for the purposes aforesaid, shall not, within three months after such assessment shall have been made as aforesaid, pay the amount of the said assessment upon such Lot or Lots respectively, the said Commissioners shall and may cause a registry to be made in the Office of the Registry of Deeds in Halifax, of the Lot or Lots so assessed, and the sums upon such Lots respectively assessed, which Registry shall operate and be an incumbrance upon such Lots prior and preferably to all other incumbrances upon the said Lots by Mortgage, Judgment or otherwise, for the sum or sums so assessed, together with interest at the rate of six per Centum per Annum from the date of the said assessment until fully paid off, and discharged; *Provided always*, that nothing herein contained shall be construed to affect Mortgages, Judgments, or other Security on Property existing thereon, previous to the said assessment and registry thereof.

Assessments
unsatisfied

XI. *And be it further enacted*, That the said assessors, before they shall engage in the duties prescribed by this Act, shall be sworn before a Justice of the Peace, faithfully and impartially, according to the best of their ability, to make the said assessment, and for their services herein, including the making out and certifying the said assessments for and upon each block or square, shall be entitled to receive the sum or fee of not more than Twenty Shillings, one half of which expense shall be included in, and make a part of, the said assessment, and the other half-part shall be paid by the Commissioners, out of the funds at their disposal.

Assessors to be
Sworn—Fees
allowed

XII. *And be it further enacted*, That whenever it shall be found necessary or expedient to lay out or open a new road or street, or alter, change or widen, an old road or Street, within the Town and Peninsula of Halifax, the Commissioners of Streets within the same, for the time being, shall, for and in respect of such new Road or Street, or such alteration of an old road or street, and they are hereby required and empowered, in all things to observe, perform and fulfil, all the regulations, directions and provisions, contained in the Seventeenth Clause or Section of the Act of the General Assembly, passed in the Seventh year of the Reign of His late Majesty King George the Fourth, entitled, "An Act relating to Highways, Roads and Bridges," and upon the said Plan, Admeasurement, Estimates, Order in Council and Notices, required by the said Seventeenth Section, being provided and given as therein mentioned, the said intended new Road or Street, or alteration of an old road or street, and the Lands and Property whatsoever through which the same shall pass, or which shall be affected thereby, shall be laid out, and the damages thereby to the owner or owners be appraised and valued, in such and the like manner as in and by the Act, passed in the Eighth year of His said late Majesty's Reign, entitled, "An Act in addition to, and in amendment of, the Act relating to Highways, Roads and Bridges," is provided and directed, and by the ways, means and proceedings, therein prescribed; and the said Commissioners of the Streets shall adopt, take and follow, all and singular the provisions and directions in the Act last mentioned contained, for the laying out, appraising, valuing and confirming, the said Lands and Property, required for the purposes of, or affected by, such new road or streets, or alteration of an old road or street, within the said Town or Peninsula of

New Roads to
be opened, or
old Roads
widened or al-
tered

Halifax, and all and singular the provisions, directions, and mode of proceeding, in and by the third, fourth and fifth, Clauses and Sections of the Act last mentioned provided or contained, shall be, and the same are hereby, made applicable, and are hereby applied and put in operation, to, for, and in respect of, the laying out, valuing, appraising and confirming, the Lands or Property so required for any such new road or street, or alteration of an old road or street, and to and for the ascertaining the damages and compensation to the owner or owners of such Land or Property thereby, and shall be adopted, used and acted upon, on all occasions, in respect of such new roads or streets or alterations of old roads or streets respectively within the said Town and Peninsula, and as fully and effectually to all intents and purposes whatsoever as could or might be done in any other part of the Province, for, and in respect of, any new Highway or Road, or alteration of an old one, by any Commissioner or Commissioners of Roads throughout the Province, under and by virtue of the Acts aforesaid.

Act relating to Highways, &c. made applicable to purposes of this Act

XIII. *And be it further enacted,* That all the clauses and provisions in the said "Act relating to Highways, Roads and Bridges," so far as the same relate to new public Highways, laid out and allowed, and the compensation, damages and fencing, in respect thereof, shall apply and be in force and operation, with respect to and in every case of any new Road or Street, or alteration of an old Road or Street, in the said Town or Peninsula of Halifax.

Act may be amended

XIV. *And be it further enacted,* That this Act may be added to or amended by any other Act or Acts that may pass the General Assembly in the present Session, any usage or custom to the contrary notwithstanding.

Schedule referred to in the foregoing Act, being the Form of Certificate therein specified.

LOAN TO THE COMMISSIONERS OF STREETS IN HALIFAX.

No.

Certificate

For Currency, L.

Form of Loan Certificate

By virtue of an Act of the General Assembly of the Province of Nova Scotia, passed in the second year of the Reign His Majesty King William the Fourth, entitled, "An Act to authorise the Commissioners of Streets in Halifax to borrow Money for certain purposes."

We, the Chairman and two of the Commissioners of the Streets and Highways in the Town of Halifax in Nova-Scotia, do hereby certify and declare, that, under the powers and authorities in and by the said Act vested in us, we have borrowed and received by way of Loan from (name and description of lender) the sum of Pounds of lawful money of Nova-Scotia, bearing interest from the date hereof, at the rate of per Centum per Annum, which interest is payable half-yearly on the last days of June and December in every year; and we declare that the said sum of Money has been paid to and received by us towards defraying the expenses of constructing public Drains and Sewers; and the improvement of the Streets in the Town of Halifax, as in the said Act is provided; and that as well for the re-payment of the said principal Money, on or after the first day of which will be in the year of our Lord 18 , or also for the payment of the said interest thereon, by half-yearly Dividends on the days aforesaid, all and singular the Funds and Monies whatsoever now payable or appropriated, or hereafter to be paid or appropriated, to the Commissioners of Streets in Halifax for the time being, or for the use and benefit of the said Streets and Highways by any means whatsoever, are and shall be liable to, and are specifically charged with, the re-payment of the said principal Monies, and accruing interest.

We further certify, that the said principal Money and Interest will be paid and payable to the said (lender's name,) or his assigns or indorsee on the production of this certificate at the Office of the Board, on or after the respective days and times when the said principal and interest are made payable as aforesaid.

Given under our hands at Halifax, Nova-Scotia, this day of in the year of our Lord 18 .

Chairman.

} Commissioners

CAP. X.

An Act for the further increase of the Revenue of the Province, by continuing and amending an Act of the General Assembly for raising a Duty of Excise.

[PASSED THE 30th DAY OF MARCH, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled, An Act for the further increase of the Revenue, by raising a duty of Excise on all goods, wares and merchandize, imported into this Province, and every matter and thing in the said Act contained, save and except the third, fourth, fifth and sixth, Sections of the said Act, and except so far as the said Act is hereinafter altered or amended shall be continued, and the same, except as aforesaid, are hereby continued until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

Act 32d Geo. III, continued —with exceptions

II. *And be it further enacted*, That on all goods, wares and merchandise, by the said Act chargeable with a duty of Two Pounds and Ten Shillings for every Hundred Pounds worth thereof, there shall be raised, levied, collected and paid, an additional duty of Excise after the rate of Two Pounds and Ten Shillings, to be calculated on the first cost of every Hundred Pounds worth of such goods imported into and consumed in this Province, and so in proportion for a greater or less quantity thereof.

Additional Duty of Excise on Goods, Wares and Merchandise

III. *And be it further enacted*, That the following articles shall be free and exempt from the duties of Excise imposed by the said Act of the thirty-second year of the reign of His said late Majesty, and by this present Act, that is to say—All goods, wares and merchandise, chargeable with duty under any other Act of the present Session of the General Assembly, also, Flour, Indian Corn Meal, and Rye Meal, Grain and Lumber of all kinds, also, Salt, Coals, Pitch, Tar, Turpentine, Resin, Fish, Fish-Oil, unmanufactured Furs and Skins of all kinds, Hides, raw or undressed, unwrought Iron, in pigs, bars, rods, plates or sheets, hammered or rolled, Cast-Iron Machinery for Mills and Steam Engines, Hemp, Anchors, Grapnels, bolt and sheet Copper, used in Ship building, Iron Cables, also all Sail-cloth, Cordage, Nets, Seines, Twines, Lines, and Fish Hooks, being severally of the manufacture of the United Kingdom, also Coffee and Molasses; also the following Seeds, that is to say—flax seed, hemp seed, and grass seeds, for agricultural purposes, and all garden seeds; also all printed Books; and also salted Beef, salted Pork, Butter and Cocoa, imported for the use of His Majesty's Army or Navy, by any Contractor or Commissary actually in His Majesty's Service, and with respect to which the conditions and directions of the seventh section of the Act hereby in part continued, are or may be in all things observed—all which said enumerated and described articles shall and may be imported into and consumed within this Province, free from all duties under the present, and the above in part continued, Act.

Articles exempted from Duties

IV. *And be it further enacted*, That the duties imposed by the Act hereby in part continued, and by the present Act, shall be raised, levied, collected and paid, by the ways, means, rules, provisions and directions, and under the exemptions, regulations, forfeitures and penalties, expressed, prescribed and declared, in and by so much and such part and clauses of the said Act of the thirty-second year of King George the Third, as is hereby continued, and also in the Act, passed in the last Session of the General Assembly, entitled, An Act for granting to His Majesty certain duties of Impost on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province, and all the clauses of the said last mentioned Act, so far as the same can or may be made applicable thereto, are hereby applied to the Goods hereby made chargeable with a duty of Excise, and to the importation thereof.

Duties—how raised, paid, &c.

Drawback of Duties on exportation

V. *And be it further enacted*, That the whole duties of Excise hereby made payable or chargeable, under the Act hereby in part continued, shall be drawn back on exportation of any articles chargeable therewith, of the value of One Hundred Pounds Sterling of the first cost thereof; and such drawback of Duty shall be allowed in the manner, and under the conditions, penalties and regulations, prescribed with respect to drawbacks of the Impost Duties upon Wine, Brandy, Gin, Rum, and other distilled Spirituous Liquors, and Brown Sugar.

Dutiable articles may be warehoused

VI. *And be it further enacted*, That the articles hereby subject to Excise Duties, as aforesaid, shall and may be warehoused, and credit shall be allowed for the said Duties, in the same manner as the said articles, subject to Impost Duty, may be Warehoused, and credit given for the payment of Duties thereon.

Difference between Collector and Importers

VII. *And be it further enacted*, That whenever any difference shall arise between a Collector of Impost and Excise and the Owner or Importer of any article, by this Act or the Act hereby in part continued, subject to duty of Excise, as to the quantity, quality or value thereof, such difference shall be settled by three Merchants mutually to be chosen by the said Collector, and the Owner or Importer; and the opinion of two of the said Merchants shall be final; *Provided always*, that such Collector shall retain in his custody the articles upon which the difference shall arise, until the same shall be adjusted.

Proviso

VIII. *Provided always, and be it further enacted*, That the Master of any Vessel importing Goods subject to the said Duties of Excise, shall not be compelled to disclose the contents of the several packages laden on board of his Vessel, in any other shape, manner or form, than he would be compelled to disclose the same at His Majesty's Custom-House in Halifax.

Dutiable articles found in possession of Shopkeepers

IX. *And be it further enacted* That if any Goods of the value of Five Pounds or upwards, and subject to the said Duties of Excise, shall hereafter be found in the possession or custody of any Shop-keeper or Trader, without a certificate that the duty of Excise hath been paid or secured thereon, such Shop-keeper or Trader shall be subject for such offence to a penalty not less than Five Pounds nor more than Fifty Pounds.

Penalty imposed upon Persons having dutiable articles in possession—on which duties have not been paid

X. *And be it further enacted*, That whoever shall have in possession any article subject to Excise Duty under this Act, or the Act hereby in part continued, of the value of Fifty Pounds or upwards; and whereon such Duty shall not be paid or secured as required by Law, with respect to articles chargeable with Impost Duty, such person or persons shall be subject to the like penalties, and the goods to the like forfeitures, as articles chargeable with Impost Duty would be in similar circumstances; and all penalties and forfeitures in respect to Goods chargeable with Excise Duties, shall be sued for, prosecuted, condemned and recovered, and be applied and distributed, in the like manner, as penalties or forfeitures incurred in respect to articles subject to the said Impost Duties.

Allowance to Collector of Excise at Halifax.

XI. *And be it further enacted*, That out of the Monies which shall hereafter be secured, collected and paid in cash into the Treasury of the Province, by the Collector of Impost and Excise, for the District of Halifax, by virtue of the Act hereby in part continued, or by virtue of this Act, there shall be allowed and paid to the said Collector the sum of Three Pounds and Ten Shillings, for every Hundred Pounds so by him collected and paid into the Treasury; *Provided always*, that if the amount of the commission granted by this Act, or any other Act of the General Assembly, to the Collector of Impost and Excise, for the District of Halifax, shall exceed in the whole the sum of Seven Hundred Pounds, for the year ending on the Thirty-first day of March, which will be in the year of Our Lord one Thousand Eight Hundred and Thirty-three, the surplus shall be accounted for and paid by the said Collector into the Treasury of the Province.

Duties to be paid into Treasury

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

XIII. *And be it further enacted*, That this Act shall continue and be in force from the thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Thirty-two, until the thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Thirty-three. Act continued

CAP. XI.

An Act to continue the Acts for granting a Drawback of the Duties on Brown or Raw Sugar, used in the Manufacture of Refined Sugars within the Province, and for regulating the mode of obtaining the same.

[PASSED THE 30th DAY OF MARCH, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act made and passed in the Fifty-seventh year of the Reign of His late Majesty King George the Third, entitled, An Act for granting a drawback of the Duties on Brown or Raw Sugar, used in the Manufacture of Refined Sugars within the Province, and for regulating the mode of obtaining the same; and also, the Act, passed in the Seventh Year of the Reign of His late Majesty George the Fourth, to revive, amend and continue, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby severally continued, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

Acts 57th Geo.
III. and 7th
Geo. IV. con-
tinued

CAP. XII.

An Act to continue the Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue.

[PASSED THE 30th DAY OF MARCH, 1832.]

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the third year of the reign of His late Majesty King George the Fourth, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue—and every matter, clause, and thing, in the said Act contained, shall be continued, and the same are hereby continued, until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

Act 3d Geo.
IV. continued

CAP. XIII.

An Act to prevent the spreading of Contagious Diseases, and for the Performance of Quarantine.

[PASSED THE 14th DAY OF APRIL, 1832.]

WHEREAS it is expedient to repeal the several Laws relating to the performance of Quarantine, and to prevent the spreading of Contagious Diseases, and to make other provisions: Preamble

Acts 1st. 15th.
16th. and 39th.
Geo. III. re-
pealed

I. Be it therefore enacted, by the Lieutenant-Governor, the Council and Assembly, That so soon as a Proclamation shall be issued by His Excellency the Lieutenant-Governor, by and with the advice and consent of His Majesty's Council, under the authority of this Act, and declaring the same to be in force, the Act of the General Assembly, passed in the first year of His Majesty King George the Third, entitled, An Act to prevent the spreading of Contagious Distempers, and the Act, passed in the fifteenth and sixteenth years of the same reign, entitled, An Act in addition to an Act, made in the first year of his present Majesty's reign, entitled, An Act to prevent the spreading of Contagious Distempers, and also the Act, passed in the Thirty-ninth Year of the same reign, to amend the Acts entitled as aforesaid, and every matter and thing in the said three Acts contained, shall be, and are hereby, repealed, save and except as to any fines, penalties, forfeitures or punishments, to which any person or persons may be liable under the same, and save and except as to any suit or prosecution on account of any offence against the same.

Proviso

II. Provided always, and be it further enacted, That, until such Proclamation shall issue, the said Acts shall continue in force, and all things done or authorized to be done under the authority of the said Acts shall be legal, valid, and binding.

Vessels, &c.
liable to Qua-
rantine

III. And be it further enacted, That henceforth all Vessels, as well His Majesty's Ships of War as others, coming from, or having touched at, any place from whence the Lieutenant-Governor or Commander in Chief, by and with the advice and consent of His Majesty's Council, shall have adjudged and declared it probable any infectious disease or distemper, highly dangerous to the health of the Inhabitants of this Province, whether such disease be Plague, Small Pox, Yellow-Fever, Typhus Fever, Cholera Morbus, or any other infectious disease, or contagious distemper whatsoever, may be brought; and all Vessels and Boats, receiving any Persons, Goods, Wares and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other article whatsoever, from, or out of, any Vessel, so coming from, or having touched at, such infected place as aforesaid, whether such Persons, Goods, Wares and Merchandise, Packets, Packages, Baggage, Wearing Apparel, Books, Letters or other article, shall have come, or been brought, in such Vessels, or such persons shall have gone, or articles have been put, on board the same, either before or after the arrival of such Vessels at any port or place in this Province; and whether such Vessels were or were not bound to any port or place in this Province, and all Persons, Goods, Wares and Merchandise, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other article whatsoever, on board of any Vessel so coming from, or having touched at, such infected place as aforesaid, or on board of any such receiving Vessels or Boats as aforesaid, shall be, and be considered to be, liable to Quarantine, within the meaning of this Act, and of any order or orders which shall be made by the Governor, Lieutenant-Governor, or Commander in Chief, of this Province, for the time being, by and with the advice of His Majesty's Council, concerning Quarantine, and the prevention of infection, from the time of the departure of such Vessels from such infected place as aforesaid, or from the time when such Persons, Goods, Wares, Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other articles, shall have been received on board respectively, and all such Vessels and Boats as aforesaid, and all persons (as well Pilots as others,) Goods, Wares and Merchandize, and all other articles aforesaid, whether coming or brought in such Vessels or Boats from such infected place as aforesaid, or going or being put on board the same, either before or after the arrival of such Vessels or Boats at any port or place in this Province, and all persons, goods, wares and merchandize, and all other articles as aforesaid, on board such receiving Vessel or Boat as aforesaid, shall, upon their arrival at any such port or place, be obliged to perform Quarantine in such place or places for such time and in such manner as shall from time to time be directed by any such Governor, Lieutenant-Governor or Commander in Chief, for the time being, by his order or orders in Council, notified by Proclamation or Published in the Royal Gazette Newspaper at Halifax, and that until such Vessels and Boats, persons, goods, wares and merchandize, and other articles as aforesaid, shall have respectively

respectively performed, and shall be duly discharged from, Quarantine, no such person, goods, wares or merchandize, or other articles as aforesaid, or any of them, shall either before or after the arrival of such Vessel or Boats at any port or place in this Province, come or be brought on shore, or go and be put on board any other Vessel or Boat in order to come or be brought on shore in any such port or place, although such Vessels so coming from such infected place as aforesaid, may not be bound to any port or place within this Province, unless in such manner and in such cases and by such License as shall be directed or permitted by such order or orders made by such Governor, Lieutenant-Governor or Commander in Chief, for the time being, in Council as aforesaid; and all such Vessels and Boats, whether coming from such infected place as aforesaid, or being otherwise liable to Quarantine as aforesaid, and all persons (as well Pilots as others,) goods, wares and merchandize, and other articles as aforesaid, whether coming or brought in such Vessels or Boats, or going, or being put, on board of the same, either before or after the arrival of such Vessels or Boats at any port or place in this Province, and although such Vessels or Boats shall not be bound to any port or place in this Province, and all Commanders, Masters, and other persons having the charge or command of any such Vessels or Boats, whether coming from any infected place, or being otherwise liable to Quarantine as aforesaid, shall be subject to all provisions, rules, regulations and restrictions, contained in this Act, or in any order or orders which shall be made by such Governor, Lieutenant-Governor or Commander in Chief for the time being, in Council as aforesaid, concerning Quarantine, and the prevention of infection, and to all pains, penalties, forfeitures and punishments, contained in this Act, for any breach or disobedience thereof, or of any order or orders of the said Governor in Council, made under the authority thereof.

IV. *And be it further enacted*, That it shall and may be lawful for such Governor, Lieutenant-Governor, or Commander in Chief, by his order in Council, notified by Proclamation, or Published in the Royal Gazette, from time to time, as often as he may see reason to apprehend that the Plague, Small Pox, Yellow Fever, Typhus Fever, Cholera Morbus, or any other highly infectious disease or contagious distemper prevails in the said United Kingdom or any part thereof, or on the Continent of Europe, or in any Country, Colony or place whatsoever, to require that every Vessel coming from, or having touched at, any Port or Place in the said United Kingdom or Continent of Europe, or other Country or Colony, shall come to an Anchor at certain places, to be appointed from time to time by such order or orders in Council, or in default of such appointment, then at such place or places as the Officers of His Majesty's Customs at the Ports where or near to which such Vessel may arrive or be (and which said Officers are hereby authorized to make such appointment, where and as often as shall be necessary,) may direct for the purpose of having the state of the Health of the Crew of such Vessel ascertained before such Vessel shall be permitted to enter the port whereto she shall be bound, or any other Port in this Province, but that such Vessel shall not be deemed liable to Quarantine, unless it shall be afterwards specially ordered under that restraint.

Quarantine
Grounds esta-
blished

And whereas, certain sorts of Goods, and Merchandize, are more especially liable to retain infection, and may be brought from places infected into other Countries, and from thence imported into this Province.

V. *Be it enacted*, That all such Goods and Merchandize as shall be particularly specified for that purpose, in any order or orders made by the Governor, Lieutenant-Governor or Commander in Chief, in Council, concerning Quarantine, and the prevention of infection as aforesaid, which shall be brought or imported into any Port or Place in this Province, from the said United Kingdom, or any Foreign Country, or any other place whatsoever, whether in this Province, or out of the same, in any Vessel whatsoever, and the Vessels in which the same shall be brought, and also, all Vessels which shall arrive from any Port or Place wheresoever, under any alarming or suspicious circumstances, as to infection, shall be subject and liable to such regulations and restrictions as shall be made by such order or orders of the Governor in Council, as aforesaid, respecting the same.

Goods and
Merchandize
coming from
infected coun-
tries

Unforeseen
Emergencies

Vessels coming
from uninfected
Places, with
Diseases on
board

Infectious Dis-
tempers break-
ing out in Pro-
vince

Masters of in-
fected Vessels
to report their
state

Vessels with
infectious Dis-
eases on board
to hoist signals

VI. And be it further enacted, That it shall and may be lawful for the said Governor, Lieutenant-Governor or Commander in Chief, or, in his absence, for the said Council, to make such order as he or they shall see necessary or expedient, upon any unforeseen emergency, or in any particular case or cases with respect to any Vessel arriving, and having any infectious disease or distemper on board, or on board of which any infectious disease or distemper may have appeared in the course of the voyage, or arriving under any other alarming or suspicious circumstances as to infection, although such Vessels shall not have come from any place from which such Governor, Lieutenant-Governor or Commander in Chief, by and with the advice of His Majesty's Council, may have adjudged and declared it probable that the plague, or any other infectious disease or distemper as aforesaid, may be brought, and also with respect to the Persons, Goods, Wares and Merchandize, and other articles as aforesaid, on board the same; and in case of any infectious disease or distemper appearing or breaking out in this Province, to make such orders and give such directions, in order to cut off all communication between any persons infected with any such disease or distemper, and the rest of His Majesty's subjects, as shall appear to the said Governor, Lieutenant-Governor or Commander in Chief, or, in his absence, to the said Council, to be necessary and expedient for that purpose; and likewise to make such orders as he or they shall see fit for shortening the time of Quarantine to be performed by particular Vessels, or particular Persons, Goods, Wares and Merchandize, or any other articles, or for absolutely or conditionally releasing them or any of them from Quarantine; and all such orders so made by the said Governor, Lieutenant-Governor or Commander in Chief, or, in his absence, by the said Council, shall be as good, valid and effectual, to all intents and purposes, as well with respect to the Commander, Master, or other person having the charge of any Vessel, and all other persons on board the same, as with respect to any other persons having intercourse or communication with them, and to the penalties, forfeitures and punishments, to which they may respectively become liable as any order or orders made by such Governor, for the time being, by and with the advice of His Majesty's Council, concerning Quarantine, notified by Proclamation, or published in the Royal Gazette.

VII. And be it further enacted, That if any such highly infectious disease or distemper as aforesaid, shall appear on board any Vessel at Sea, bound to, or arriving at, any port or part of this Province, then the Commander, Master, or other person having charge or command thereof, shall immediately proceed to such place as the said Governor, Lieutenant-Governor or Commander in Chief for the time being, shall, by and with the advice of His Majesty's Council, from time to time, direct and appoint; where, being arrived, he shall make known his case to some Officer of His Majesty's Customs, or Collector of Provincial Duties, Justice of the Peace, or Health-Officer, who shall with all possible speed send intelligence thereof to the local Board of Health, appointed to see Quarantine performed, or the Governor, or, in his absence, His Majesty's Council, to the end that such precautions may be used to prevent the spreading of the infection as the case shall require; And the said Vessel shall there remain until directions shall be given thereto by the Board of Health, or the said Governor, or the Council, in his absence, nor shall any of the crew or passengers on board such Vessel go on shore; and such Master, and every other person on board such Vessel, shall obey such directions as shall be received or given by the Board of Health, or the Governor or Council, and the said Master or Commander, or any other person on board such Vessel as aforesaid, who shall not act conformably to the provisions and regulations herein directed, or shall act in disobedience to such directions as shall be received on board such Vessel from the Board of Health, the Governor or the Council as aforesaid, shall forfeit the sum of One Hundred Pounds.

VIII. And be it further enacted, That every Master or other person having charge of any Vessel, liable to the performance of Quarantine, or on board whereof the Plague or other infectious disease or distemper, highly dangerous to the health of His Majesty's subjects shall actually be, shall be, and is hereby required at all times when such Vessel shall meet with any other Vessel at Sea, or shall be within two leagues of the coast of this Province,

Province, to hoist a signal to denote that his Vessel is liable to the performance of Quarantine, which signal shall in the day time be a large Yellow Flag, of six breadths of bunting, at the main-top-mast-head, and in the night time the Signal shall be a large Signal Lantern, with a light therein, (such as is commonly used on board His Majesty's Ships of War) at the same mast-head; and such Commander, Master, or other person, shall keep such Signals respectively, as the case shall be, hoisted during such time as the said Vessel shall continue in sight of such other Vessel, or within two leagues of the coast of this Province, and while so in sight, or within such distance, until such Vessel, so liable to Quarantine as aforesaid, shall have arrived at the port or place where it is to perform Quarantine, and until it shall have been legally discharged from the performance thereof, on failure whereof, such Commander, Master or other person, having charge of such Ship or Vessel so liable to the performance of Quarantine, shall forfeit and pay for every such offence the sum of One Hundred Pounds.

XI. *And be it further enacted,* That every Commander, Master or other person, having the charge of any Vessel coming from Foreign parts, or any Country or place out of this Province, shall give to the Pilot who shall go on board of such Vessel and be engaged to Pilot the same, a true account, which shall be in writing if required by such Pilot, of the names of the place and Country at which such vessel shall have loaded, and also of the places at which any such Vessel shall have touched on the homeward voyage, on pain of forfeiting One Hundred Pounds, for any neglect or refusal to give such account, and in writing if required, or for any false representation, or wilful omission therein; and if by any Proclamation, or order of the Governor in Council, made after the departure of any Vessel from this Province, and then in force, Vessels coming from any place mentioned in such account, or writing, shall be liable to the performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander, or other person aforesaid, of such Vessel, on pain of forfeiting the sum of One Hundred Pounds, for any neglect therein, and such Commander, or other person, shall thereupon hoist the proper Signal according to the provisions of this Act, and under the penalties herein contained for any neglect or refusal in respect of hoisting such Signal.

Information to be given to Pilots by Masters of Vessels

X. *And be it further enacted,* That every Commander, Master or other person, having the charge of any Vessel coming from Foreign parts, or any Country or place out of this Province, which shall not be liable to Quarantine, in respect of the place from whence such Vessel comes, shall give to the Pilot who shall go on board and take charge of such Vessel, a written paper containing a true account of the different articles, composing the cargo of such Vessel, on pain of forfeiting the sum of Fifty Pounds for any neglect or refusal to give such paper, or for any false representation or wilful omission therein, and if by any Proclamation or order of the Governor in Council, then in force, Vessels having on board any of the articles mentioned in such paper shall be liable to the performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander or other person having the charge of such Vessel, on pain of forfeiting One Hundred Pounds for any neglect therein, and such Commander or other person shall thereupon hoist a Signal according to the provision, and under the respective penalties in this Act contained, for any neglect or refusal in respect to hoisting such Signal; and in case any Pilot shall bring, or cause to be brought or conducted, any Vessel liable to the performance of Quarantine, into any place which is not or shall not be specially appointed for the reception of Vessels so liable after receiving such papers as aforesaid, whereby it shall have been made appear that such Vessel was liable to the performance of Quarantine, or without requiring and receiving such paper as aforesaid, unless compelled thereto by stress of weather, adverse winds, or accidents of the Seas, such Pilot shall for every such offence forfeit and pay the sum of Two Hundred Pounds.

Articles liable to Quarantine

XI. *And be it further enacted,* That if any Pilot being on board, or any Commander, Master or other person, having the charge of any Vessel coming from Foreign parts, or any country or place out of this Province, whether such Vessel shall be liable to Quarantine or not, shall be required by any Health-Officer, Officer of the Customs, or other person

Pilots, Masters, &c. refusing to bring Vessels to, when ordered by Health Officer, &c.

person authorised to act in the service of Quarantine, to bring to such Vessel, to the end that the Commander, Master or other person, having the charge thereof, may be interrogated according to the provisions of this Act, and shall neglect or refuse to bring to such Vessel as soon as it can be done with safety, in obedience to such requisition, every such Pilot, Commander, Master or other person, having the charge of any such Vessel, shall for every such offence forfeit and pay the sum of One Hundred Pounds.— And to the end that it may be better known whether any Vessel be actually infected with the plague, or other highly infectious disease or distemper as aforesaid, or whether such Vessel, or the Mariners or Passengers coming, or the cargo imported, in the same are liable to any orders touching Quarantine.

Vessels visited
by Health Offi-
cer

XII. *And be it further enacted,* That when any Country or place whatsoever shall be known or suspected to be infected with the plague or other such infectious disease or distemper as aforesaid, or when any order or orders shall be made by the Governor in Council concerning Quarantine, and the prevention of infection as aforesaid, then and in such case, as often as any Vessel shall attempt to enter into any port or place in this Province, whether such port shall have been appointed for the performance of Quarantine or not, the Health-Officer or Superintendant of Quarantine, or his assistant, at such port or place, or, if not the principal Officer of His Majesty's Customs at such port or place, or such person as shall be authorized to act in that behalf, shall go off to such Vessel, and shall at a convenient distance from such Vessel, or on board thereof, demand of the Master, Commander or other person, having charge of such Vessel, and such Commander, or other person, shall upon such demand, give a true answer in writing or otherwise, and upon oath, or not upon oath, according as he shall by such Health-Officer, Superintendant, or his Assistant, or Officer of the Customs, or other person authorized as aforesaid, be required to, all such questions or interrogatories as shall be put to him by virtue and in pursuance of such regulations and directions, as such Governor, by order in Council, shall be pleased to prescribe. And in case such Commander or Master or other person, having the charge of such Vessel, shall, upon such demand made as aforesaid, refuse to make a true discovery in any of the particulars concerning which he shall be interrogated in manner aforesaid, or, in case he shall not be required to answer such questions or interrogations upon oath, shall give a false answer to any such question or interrogatory as aforesaid, such Commander, Master or other person, having charge of such Vessel, for every such offence shall forfeit and pay the sum of Two Hundred Pounds.

Refusal to an-
swer Interroga-
tories

Vessels obliged
to proceed to
Quarantine
Station

XIII. *And be it further enacted,* That in case it shall appear upon such examination, or otherwise, that such Vessel is under such circumstances as shall render it liable to perform Quarantine, and that the port or place where it so arrived, or at which it attempts to enter as aforesaid, is not the port or place where it ought to perform Quarantine, then and in every such case it shall and may be lawful to and for the Officers of any of His Majesty's Ships of War, or of any His Majesty's Forts and Garrisons, and all other His Majesty's Officers, upon Notice thereof given to them, or any of them respectively, and to and for any other person or persons whom they shall call to their aid or assistance, and such Officers are hereby required to oblige such Vessel to go and repair to such place as hath been or shall be appointed for the performance of Quarantine, and to use all necessary means for that purpose, either by firing of guns upon such Vessel, or by any other kind of necessary force whatsoever; and in case any such Vessel shall come from, or shall have touched at, any place infected with the plague, or such other infectious disease or distemper as aforesaid, or shall have any person on board actually infected with the plague, or other such infectious disease or distemper as aforesaid, and the Commander, Master or other person, having charge of such Vessel, knowing that the place from whence he came or at which he had touched as aforesaid was infected with the plague or such other infectious disease or distemper as aforesaid, or knowing some person on board to be actually infected with the plague or such other infectious disease or distemper as aforesaid, shall refuse or omit to disclose the same upon such examination as aforesaid, or shall wilfully omit to hoist the Signal herein before directed,

270.

directed, to denote that his Vessel is liable to the performance of Quarantine, at the times and on the occasions herein before directed, with respect to the same, such Commander, Master or other person having charge of such Vessel, shall forfeit the sum of Three Hundred Pounds.

XIV. *And be it further enacted,* That every Commander, Master, or other person having charge of any Vessel which shall be ordered to perform Quarantine as aforesaid, shall forthwith alter his arrival at the place appointed for the performance of Quarantine, deliver on demand to the Health-Officer, Superintendant of Quarantine, or his assistant, Officer of the Customs or other person authorised to act in that behalf, (who is hereby required to make such demand,) his Bill of Health and Manifest, with his Log Book and Journal, under pain of forfeiting the sum of One Hundred Pounds if he shall wilfully neglect or refuse so to do.

Bills of Health,
Log Books, &c
to be given up
to the Health
Officers, &c.

XV. *And be it further enacted,* That if any Commander, Master, or other person having charge of any Vessel liable to perform Quarantine, and on board of which the plague or other infectious disease or distemper shall not then have appeared, shall himself quit, or knowingly permit or suffer any seamen or passenger, coming in such Vessel, to quit such Vessel, by going on shore, or by going on board any other Vessel or boat, before such Quarantine shall be fully performed, unless by such License as shall be granted by virtue of any order in Council to be made concerning Quarantine as aforesaid, or in case any Commander or other person having charge of such Vessel, shall not within a convenient time, after due notice given for that purpose, cause such Vessel, and the lading thereof, to be conveyed into the place or places appointed for such Vessel and Lading, to perform Quarantine, then and in every such case every such Commander, Master, or other person as aforesaid, for every such offence, shall forfeit and pay the sum of Four Hundred Pounds; and if any such person coming in any such Vessel liable to Quarantine, (or any pilot or other person going on board the same, either before or after the arrival of such Vessel at any port or place in this Province,) shall, either before or after such arrival, quit such Vessel unless by such License as aforesaid, (or unless being such Health-Officer, Superintendant of Quarantine, his Assistant or Officer of the Customs, or other person authorised to act in that behalf,) by going on shore in any port or place of this Province, or by going on board any other Vessel or Boat with intent to go on shore as aforesaid, before such Vessel, so liable to Quarantine as aforesaid, shall be regularly discharged from the performance thereof, it shall and may be lawful for any person whatsoever, by any kind of necessary force, to compel such pilot or other person so quitting such Vessel, liable to Quarantine, to return on board the same, and every such pilot, or other person so quitting such Vessel, so liable to Quarantine, shall for every such offence suffer imprisonment for the space of six months, and shall forfeit and pay the sum of Three Hundred Pounds.

Violation of
Quarantine
Regulations

And whereas, disobedience or refractory behaviour in persons under Quarantine or liable to the performance of Quarantine, or in other persons who may have had any intercourse or communication with them, may be attended with very great danger to His Majesty's subjects :

XVI. *Be it further enacted,* That all persons, liable to perform Quarantine, and all persons having had any intercourse or communication with them, whether in Vessels, or in a Lazaret or elsewhere, shall be subject during the said Quarantine, or during the time they shall be liable to Quarantine, to such orders as they shall receive from the Health-Officer, Superintendant of Quarantine, or his Assistant, Officer of His Majesty's Customs, or other person authorized to act in that behalf, and the said Officers are hereby empowered and required to enforce all necessary obedience to the said orders, and, in case of necessity, to call in others to their assistance, and all persons so called in are hereby required to assist accordingly, and such Officers shall, and they are hereby required and empowered to, compel all persons liable to perform Quarantine as aforesaid, and persons having had any intercourse or communication with them, to repair to such Lazaret, Vessel or place, and to cause all Goods, Wares and Merchandize, and other articles comprized within any such order to be made as last aforesaid,

Refractory
conduct in per-
sons under
Quarantine

to be conveyed to such Lazaret, Vessel or place, duly appointed in that behalf, in such manner, and according to such directions, as shall be made by order of the Governor in Council as aforesaid, or of the Governor, Lieutenant-Governor or Commander in Chief for the time being, or in his absence of His Majesty's Council; and if any person or persons, liable to perform Quarantine as aforesaid, or any person or persons having had any intercourse or communication with him, her or them, shall wilfully refuse or neglect to repair forthwith, when required and directed so to do, by such Officers as aforesaid, to the said Lazaret, Vessel or place, duly appointed in that behalf, or having been placed in the said Lazaret, Vessel or place, shall escape, or attempt to escape, out of the same, before Quarantine duly performed, it shall and may be lawful to and for the said Quarantine Officers, and also the watchmen and other persons appointed to see Quarantine performed, and each of them, and they are hereby respectively required, by such necessary force as the case shall require, to compel every such person, so refusing or neglecting as aforesaid, and every such person so escaping or attempting to escape as aforesaid, to repair or return to such Lazaret, Vessel or place, so appointed as aforesaid; and every person so refusing or neglecting to repair forthwith as aforesaid to the said Lazaret, Vessel or place, and also every person actually escaping as aforesaid, shall forfeit the penalty of Two Hundred Pounds.

Persons break-
ing Quarantine
by leaving
Vessels

XVII. *And be it further enacted,* That it shall be lawful for any Sheriff, Constable or other Peace Officer, or any other person, to seize and apprehend any person that shall, contrary to the provisions of this Act, have quitted or come on shore from any Vessel liable to perform Quarantine, or who shall have escaped from or quitted any Vessel under Quarantine, or from any Lazaret, Vessel or place appointed in that behalf, for the purpose of carrying such person before any Justice of the Peace or Magistrate; and it shall be lawful for any such Justice of the Peace or Magistrate, to grant his Warrant for the apprehending and conveying of any such person to the Vessel from which he or she shall have come on shore, or to any Vessel performing Quarantine, or Lazaret from which he or she shall have escaped, or for the confining of any such person in any such place of safe custody, (not being a public Gaol,) and under such restrictions as to having any communication with any other persons as may in the discretion of any Justice of the Peace or Magistrate, (calling to his aid if he shall think fit any Medical person,) appear to be proper until such person can be safely and securely conveyed to some place appointed for the performance of Quarantine, or until directions can be obtained from the Board of Health, or His Majesty's Council, as to the disposal of any such person, and to make any further order or grant any further Warrant that may be necessary in that behalf.

And whereas, it may be necessary for the public security to prevent all communication whatever with Vessels performing Quarantine:

Vessels at Qua-
rantine inter-
dicted from all
communica-
tion.

XVIII. *Be it therefore further enacted,* That it shall and may be lawful, to and for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by his order or orders in Council, notified by Proclamation or Published in the Royal Gazette, to prohibit all persons, Vessels and Boats, whatsoever, from going, under any pretence whatsoever, within the limits of any Station which by any order or orders in Council as aforesaid has been or may be assigned for the performance of Quarantine, and if any person whatsoever, after such notification or Publication of any such order or orders in Council, shall presume, under any pretence whatsoever, to go with any Vessel or Boat within the limits of any such Station, he or she shall for every such offence forfeit and pay the sum of Two Hundred Pounds.

Health Officers,
&c. violating
their duties

XIX. *And be it further enacted,* That if any Health-Officer, Superintendent of Quarantine, or his Assistant, or Officer of His Majesty's Customs, or any other Officer or person whatsoever, to whom it doth or shall appertain to execute any order or orders made or to be made concerning Quarantine or the prevention of infection, and notified as aforesaid, or to see the same put in execution, shall knowingly and wilfully embezzle any Goods or Articles performing Quarantine, or be guilty of any other breach or neglect of his duty, in respect of the Vessels, Persons, Goods or Articles performing Quarantine,

Quarantine, every such Officer or Person so offending shall forfeit such Colonial Office or Employment as he may be possessed of, and shall become from thence incapable to hold or enjoy the same, or to take a new grant thereof, and every such Officer and person shall forfeit and pay the sum of Two Hundred Pounds; and if any such Officer or person shall desert from his duty when employed as aforesaid, or shall knowingly and willingly permit any Person, Vessel, Goods or Merchandize, to depart or be conveyed out of the said Lazaret, Vessel or other place as aforesaid, unless by permission under an order of the Governor, Lieutenant-Governor or Commander in Chief, by and with the advice of His Majesty's Council, or under an order of His Majesty's Council, or of the Board of Health, or if any person hereby authorised and directed to give a certificate of a Vessel having duly performed Quarantine, or airing, shall knowingly give a false certificate thereof, every such person so offending shall be guilty of Felony; and if any such Officer or person shall knowingly or willingly damage any Goods performing Quarantine, under his direction, he shall be liable to pay One Hundred Pounds damages, and full costs of suit, to the owner of the same.

XX. *And be it further enacted,* That if any Vessel arriving from the United Kingdom, or any part thereof, or from any port on the Continent of Europe, or from any Country, Colony or place whatsoever, shall have undergone examination by the proper Health-Officer, Superintendent or other Officer of Quarantine, and upon a report of such examination being made to the Board of Health or the Governor, or His Majesty's Council, such Board, or the Governor or Council, shall think proper to direct the release of such Vessel from the performance of Quarantine, it shall be lawful for such Officer, and he is hereby required, to grant to the Master or person having the charge or Command of such Vessel, a certificate, in writing, of such examination and release, and, upon the production of such certificate to the Collector or Principal Officer of His Majesty's Customs at any Port in this Province, such Vessel shall be admitted to entry without being liable to any further restraint.

Release of
Vessels from
Quarantine

XXI. *And be it further enacted,* That after Quarantine shall have been duly performed by any Vessel, person or persons, obliged to perform Quarantine as aforesaid, according to this Act, and to such order or orders made as aforesaid, and upon proof to be made by the oaths of the Master or other person, having charge of such Vessel, and of three or more of the persons belonging thereto, or upon proof to be made by the oaths of two or more credible witnesses, before the Health-Officer, or Principal Officer of the Customs, at the port where such Quarantine shall be performed, or at the port nearest thereto, or before the Superintendent of Quarantine, or his Assistant, at the Quarantine Station, or before any Justice of the Peace living near to the port or place, that such Vessel, and all and every such person or persons respectively, have duly performed Quarantine as aforesaid, and that the Vessel and all and every person or persons are free from infection, then, and in the said respective cases, such the Board of Health, or the Health-Officer, or the Superintendent of Quarantine, or his Assistant, or such Justice of the Peace respectively, are hereby required to give a certificate thereof, and thereupon such Vessel, and all and every such person or persons so having performed Quarantine, shall be liable to no further restraint or detention upon the same account, for which such Vessel, person or persons, shall have performed Quarantine as aforesaid.

Release of
Vessels from
Quarantine

XXII. *And be it further enacted,* That all Goods, Wares and Merchandise, and other articles liable to Quarantine as aforesaid, shall be opened and aired in such place or places, and for such time and in such manner, as shall be directed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, by such order or orders to be made as aforesaid, and after such order shall have been duly complied with, proof thereof shall be made by the oaths of the Master of the Lazaret or Vessel, in which the Goods, Wares and Merchandize, and all other articles, shall have been opened and aired, and of one of the Guardians, or if there be no Guardians, then one of the Officers authorized by the Governor, Council, or Board of Health, to act in the service of Quarantine, in such Lazaret or Vessel, or if there be no such Officer, then by the oaths of two or more credible witnesses, serving in the said Lazaret or Vessel, before the

Goods, Wares
and Merchandise,
released from Quarantine

Health-Officer, the Superintendent of Quarantine, or his Assistant, in case such opening and airing shall be had at a port or place where such Health-Officer, Superintendent or Assistant, shall be established, or otherwise before the Principal Officer of the Customs, authorized to act in the service of Quarantine, at such port or place, which oath such Health-Officer, Superintendent, Assistant or Principal Officer, is hereby authorized to administer, and such Health-Officer, Superintendent, Assistant, or Principal Officer, as the case may be, shall grant a certificate of such proof having been made, and upon production of such certificate to the proper Officer of the Customs, such Goods, Wares and Merchandize, and other articles, shall be liable to no further restraint or detention, either at the port or place where such Quarantine shall have been performed, or at any other place whereto they may be afterwards conveyed.

Forging certificates

XXIII. *And be it further enacted,* That if any person shall knowingly or wilfully forge or counterfeit, interline, erase or alter, or procure to be forged or counterfeited, interlined, erased or altered, any certificates, directed or required to be granted by any order of the Governor in Council, now in force, or hereafter to be made, touching Quarantine, or shall publish any such forged or counterfeited, interlined, erased or altered, certificate, knowing the same to be forged or counterfeited, interlined, erased or altered, or shall knowingly and wilfully utter and publish any such certificate with intent to obtain the effect of a true certificate, to be given thereto, knowing the contents of such certificate to be false, he or she shall be guilty of Felony.

Landing Goods from Vessels under Quarantine

XXIV. *And be it further enacted,* That if any person shall land or unship, or shall move in order to the landing or unshipping thereof, any Goods, Wares or Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters or other articles from on board any Vessel liable to perform Quarantine as aforesaid, or shall knowingly receive the same after they have been so landed or unshipped, every such person shall forfeit and pay the sum of Five Hundred Pounds; and if any person or persons shall clandestinely convey, or secrete or conceal for the purpose of conveying, any Letters, Goods, Wares or Merchandize, or other articles as aforesaid, from any Vessel actually performing Quarantine, or from the Lazaret, or other place where such Goods, Wares, Merchandize or other articles as aforesaid, shall be performing Quarantine, every such person so offending as last aforesaid shall forfeit the sum of One Hundred Pounds.

Oaths may be administered—false swearing

XXV. *And be it further enacted,* That in all cases wherein by virtue of this Act, or any other Act hereafter to be made, touching Quarantine, any examination or answer shall be taken or made upon oath, the person who shall be authorised and required to take such examination, and answers, shall and may be deemed to have full power and authority to administer such oaths; and if any person who shall be interrogated; or examined, shall wilfully swear falsely to any matter concerning which such person shall depose or make oath on such examination, or in such answer, or if any person shall procure any other person so to do, he or she so swearing falsely, or procuring any other person so to do, shall be deemed to have been guilty of, and shall be liable to be prosecuted for, perjury or subornation of perjury, as the case may be, and shall suffer the pains, penalties and punishments, of the Law, in such case respectively made and provided.

Appointment of Health Officers, &c.

XXVI. *And be it further enacted,* That all Health-Officers, Superintendants of Quarantine, at the several ports, and their Assistants, shall any may be appointed by any Instrument signed by the Governor for the time being, and every thing required to be done and performed by the Health-Officer, Superintendent of Quarantine, or his Assistant, may, in case of the absence or sickness of such Health-Officer, Superintendent or Assistant, be done and performed by such Principal Officer of the Customs, or other person as shall be authorized to act in that behalf.

Notification of this Act

XXVII. *And be it further enacted,* That the publication in the Royal Gazette Newspaper, at Halifax, of any order of the Governor and Council, or of His Majesty's Council, made in pursuance of this Act, or the publication of the Governor's Proclamation, made in pursuance of the same, shall be deemed and taken to be sufficient notice, to all persons concerned, of all matters therein respectively contained.

XXVIII. *And be it further enacted,* That all forfeitures and penalties, that shall be incurred by reason of any offence committed against this Act, shall and may be recovered by suit in any of His Majesty's Courts of Record in this Province, and every such forfeiture and penalty shall belong and be given, one moiety to the person who shall inform and sue for the same, and the remainder to His Majesty, His Heirs and Successors.

Penalties how recovered

XXIX. *Provided always, and be it further enacted,* That it shall not be lawful for any person or persons whatsoever to commence, prosecute, enter or file, or cause, or procure to be commenced, prosecuted, entered or filed, any action, bill, plaint, information or prosecution, or actions, bills, plaints, informations or prosecutions, in any of His Majesty's Courts in or before any Justice of the Peace, or of or for any Court in this Province, for the recovery of any fine, penalty or forfeiture, fines, penalties or forfeitures, incurred by reason of any offence committed against this Act, or against any order or orders made by the Governor in Council, or by His Majesty's Council, as aforesaid, unless the same be commenced, prosecuted, entered or filed, in the names of His Majesty's Attorney-General, or, in his absence, the Solicitor-General of this Province, under the direction of the Governor, or the Board of Health respectively; and if any action, bill, plaint, information or prosecution, actions, bills, plaints, informations or prosecutions, or any proceeding or proceedings before any Justice as aforesaid, shall be commenced, prosecuted, entered and filed, in the name or names of any other person or persons than is in that behalf before mentioned, the same shall be, and are hereby declared to be, null and void.

Prosecutions for penalties to be in name of Attorney or Solicitor General

XXX. *Provided also, and be it further enacted,* That in case any prosecution, suit, complaint or other proceeding as aforesaid, shall be commenced or depending by any prosecutor for the recovery of any fine, penalty or forfeiture, fines, penalties or forfeitures, incurred by reason of any offence committed against this Act, or against any order or orders made by the Governor in Council, or by His Majesty's Council, as aforesaid, it shall and may be lawful for His Majesty's Attorney-General, or, in his absence, His Majesty's Solicitor-General, to stop all further proceedings therein, as well with respect to the share of such fine, penalty or forfeiture, fines, penalties or forfeitures, to which any such prosecutor shall or may claim to be entitled as to the share thereof belonging to His Majesty, if upon consideration of the circumstances under which any such fine, penalty or forfeiture, fines, penalties or forfeitures, may be incurred, it shall appear to them respectively to be fit and proper so to do.

Prosecutions may be stayed

XXXI. *And be it further enacted,* That all offences committed against any of the provisions of this Act, for which no specific penalty, forfeiture or punishment, is provided by this Act, shall and may be tried, heard and determined, before any three Justices of the Peace, of the County or place where such offence or disobedience shall happen, and if any person shall be convicted of any such offence or disobedience, he or she shall be liable to such forfeiture or penalty, not exceeding the sum of One Hundred Pounds for any offence, or to such imprisonment not exceeding Twelve Months for any one offence, as shall, in the discretion of three Justices, who shall have heard and determined the same, be judged proper, and such forfeiture and penalty shall be paid, one moiety to the person suing or prosecuting for the same, and the remainder to His Majesty, to be applied as the proceeds of other penalties and forfeitures are herein before directed to be applied.

Cases where no specific penalties are provided by Law

XXXII. *And be it further enacted,* That in any prosecution, suit or other proceedings, against any person or persons whatsoever, for any offence against this Act or any Act which may hereafter be passed concerning Quarantine, or for any breach or disobedience of any order or orders which shall be made by the Governor, with the advice of His Majesty's Council, concerning Quarantine, and the prevention of infection, and notified or published as aforesaid, or of any order or orders made by His Majesty's Council aforesaid, or the Board of Health, whatsoever, the answer or answers of the Commander, Master or other person having charge of any Vessel, to any question or interrogatory put to him, by virtue and in pursuance of this Act, or of any Act which may hereafter,

Evidence

hereafter be passed concerning Quarantine, or of any such order or orders as aforesaid, may and shall be given and received as evidence so far as the same relates or relate to the place from which such Vessel shall come, or to the place or places at which such Vessel touched in the course of the voyage; and where any Vessel shall have been directed to perform Quarantine, by the Health-Officer, Superintendent of Quarantine or his Assistant, or, where there is no Superintendent or Assistant, by the Principal Officer of the Customs, at any port or place, or other Officers of the Customs authorized to act in that behalf, they having been so directed to perform Quarantine, may and shall be given and received as evidence, that such Vessel was liable to Quarantine, unless satisfactory proof shall be produced by the Defendant, in any such prosecution, suit or other proceeding, to shew that the Vessel did not come from or touch at any such place or places, as is or are stated in the said answer or answers, or that such Vessel, although directed to perform Quarantine, was not liable to the performance thereof, and where any such Vessel shall have in fact been put under Quarantine at any port or place, by the Health-Officer, Superintendent of Quarantine or his Assistant, or other Officer of the Customs, authorized as aforesaid to act in that behalf, and shall actually be performing the same, such Vessel shall, in any prosecution, suit or other proceeding, against any person or persons whatever, for any offence against this Act, or any other Act which may hereafter be passed concerning Quarantine, and the prevention of infection, or any order or orders of the Governor in Council, or His Majesty's Council as aforesaid, be deemed and taken to be liable to Quarantine, without proving in what manner or from what circumstance such Vessel became liable to the performance thereof.

Prosecutions
against Health
Officers. &c.

XXXIII. *And be it further enacted,* That if any action or suit shall be commenced against any person or persons, for any matter or thing done in pursuance or execution of this present Act, or of any order made by virtue thereof, the Defendant or Defendants in such action or suit may plead the general issue, and give this Act and the special matter in evidence at any Trial to be had thereupon, and that the same was done in pursuance and in execution of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants and if the Plaintiff shall be nonsuited, or discontinue his action after the Defendant or Defendants shall have appeared, or if Judgment shall have been given upon any verdict or demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble costs, and have the like remedy for the same, as the Defendant or Defendants hath or have in other cases by Law; and that no such action or suit shall be brought against any person for any matter or thing done in pursuance, or execution, of this Act, but within the space of Six Months after such matter or thing shall have been done.

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

CAP. XIV.

An Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province.

[PASSED THE 14th DAY OF APRIL, 1832.]

WHEREAS, a malignant and highly dangerous disease, called the Cholera, or Spasmodic or Indian Cholera, has for some time past prevailed on the Continent of Europe, and in Great-Britain, and apprehensions are entertained that the same may be introduced into this Province:

And

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And whereas, in the event of the introduction of the said disease, or any other infectious plague, disease or distemper, into this Province, it may be impossible, by the authority of the General Assembly, to establish, with sufficient promptitude to meet the exigencies of any such cases as may occur, such regulations as may be necessary in the several Ports and Places of this Province, for averting, diminishing or preventing, as far as may be possible, the spreading of any such infectious disease therein.

And whereas, also it may become necessary to adopt more effectual measures than are now in use, for preventing the introduction of the said disease, called the Cholera, or other infectious or contagious distempers, into this Province:

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, and for the said Council in the absence of the Governor, by any order or orders in Council by him, or them, to be from time to time made, to establish, and again from time to time by any such order or orders to revoke, renew, alter or vary, all such rules and regulations, and to substitute any such new rules and regulations as to him or them may appear necessary or expedient for the prevention as far as may be possible of the introduction into this Province, and spreading, of the said disease called the Cholera or Spasmodic or Indian Cholera, or any other highly infectious or contagious disease or distemper within this Province or any part thereof, or for the relief of any persons suffering under, or likely to be afflicted by, any such disease, and for the safe and speedy interment of any person or persons who may die of any such disease.

Governor and Council invested with power to make necessary regulations

II. *And be it further enacted*, That every such order as aforesaid shall be certified under the hand of the Secretary of the Province or Clerk, for the time being, of His Majesty's Council, and shall be published in the Royal Gazette Newspaper at Halifax, and that the publication therein, of any such order as aforesaid, shall for all intents and purposes be taken, admitted and received, in all Courts, and before all Judges, Justices, and Magistrates, and others, as good and sufficient evidence of the making, and of the date and contents, of any such order.

Publication of Regulations

III. *And be it further enacted*, That every such order as aforesaid, and all rules, regulations, proceedings, and measures, thereby established and declared to be such as to the said Governor and Council appear of urgent necessity, and indispensable and proper to be adopted for preserving the public health, or preventing the introduction or arresting of any such disease as aforesaid, shall and may be continued and kept in force so long as the necessity of the case shall appear to the said Governor or Council to require, and shall and may be enforced, and put in execution, in all places, and for and in respect of all Persons, Houses, Buildings, Vessels, Goods, Wares, Merchandize, Matters and Things, whatsoever, and by any kind of necessary force whatsoever which the occasion may require, and obedience to such orders, rules, regulations and directions, may be enjoined and enforced under any penalties, fines or forfeitures, therein to be expressed, but not exceeding Two Hundred Pounds for any one offence; and all and every such rules, regulations, orders and directions, shall be to all intents and purposes good, legal, valid and effective, for all the objects and purposes, thereof, notwithstanding the same may exceed or appear to exceed any powers or authorities by the existing Laws vested in the Governor or Council for the preservation of the Public Health, throughout the Province, and disobedience to any such orders, rules, regulations or directions respectively, shall be a misdemeanor, and subject the offender to be indicted, fined or imprisoned, therefor, or to the penalties, fines and forfeitures, therein to be established.

Regulations enforced

IV. *And be it further enacted*, That it shall be lawful for the Governor, for the time being, by the advice of His Majesty's Council, at all times when to him or them it shall appear expedient for preventing the introduction or spreading of any contagious or infectious disease into or in this Province, or necessary to make such appointments, to appoint and commission such competent persons at the several Ports of this Province as may be required to act as Health-Officers therefor respectively, and also to establish

Health Officers.

and appoint in any place or places a Board of Health for carrying into effect and enforcing the rules, regulations and directions, in any such order to be made by the Governor in Council or His Majesty's Council contained ; and also to prescribe and direct the particular duties and modes of proceeding to be executed or observed by such Health Officers, Board or Boards of Health, and to authorise and empower them or any of them to make, establish and cause to be observed, any rules and regulations which may be found necessary to preserve the Public Health, and to render effectual all measures of precaution against the introduction or spreading of such infectious disease or diseases as sforesaid ; and in case of any vacancy in any such appointments, the same shall and may be supplied as the said Governor in Council or the Council shall from time to time think proper.

Boards of
Health

Duty of
Health-Officer

V. *And be it further enacted*, That when and so long as any order or orders of the Governor in Council, or of the Council, shall be in force respecting any Vessels arriving from any place, whence any such infectious or contagious disease may probably be brought, it shall be the duty of the health-Officer appointed for any port or place in this Province, immediately on the arrival of any such Vessel, or upon the entry thereof into the port, to repair alongside or on board thereof, and to make strict search and enquiry into the Health of the Officers, Crew and Passengers, and into the state of the Vessel and cargo, and without delay to report his observations and opinion thereon to the Governor, the Council, or the person or persons appointed to receive such report ; and every such Health-Officer shall do and perform all other duties, acts and things, by the Governor, the Council, or other person or persons thereto appointed, required or directed to be done in respect thereof, and make an immediate report as aforesaid, of his proceedings and their result as the case may require ; and every such Health Officer is hereby authorised and required when necessary to administer an oath to, and on oath to examine, all persons on board of any such Ship of Vessel, and put to them all questions by him deemed proper to enable him to ascertain the state and condition of the Vessel, Cargo, Crew and Passengers, arriving as aforesaid, and such questions shall be truly answered accordingly.

Vessels to pro-
ceed to Qua-
rantine Ground

VI. *And be it further enacted*, That every Ship or Vessel arriving at, or attempting to enter, any port or place of this Province, shall forthwith repair to and anchor at the Quarantine Ground, or place assigned for examination thereof, and there remain until examined by the Health-Officer, and there, until permitted to enter or come to her place of destination, shall continue under the orders and directions of the Health-Officer ; and it shall and may be lawful to and for the Officers of any of His Majesty's Ships of War, or hired Vessels, Forts or Garrisons, and all other His Majesty's Officers, upon Notice thereof given to them, or any of them respectively, and to and for any other persons whom they or the Health-Officer shall call to their or his aid or assistance, and such Officers and other persons are hereby required to oblige every such Vessel to go and repair to such Quarantine Ground, and there to remain until examined and permitted to proceed into the port of destination, and for that purpose, to use all necessary means, either by firing of Guns upon such Vessel, or by any other kind of necessary force whatsoever ; and if the Master, Commander or other person, having charge of any such Vessel, shall refuse or neglect to proceed to such Quarantine Ground for examination, or depart therefrom, or shall come, or permit any person to come on shore from such Vessel, before permission given to enter the port of destination, or before Quarantine fully performed, if ordered ; or shall refuse to give to the Health-Officer all information required touching the health of the persons on board such Vessel, or the nature of her Cargo, or shall make any false representation or misrepresentation in respect thereof, or shall obstruct the Health-Officer in the performance of his duty, such Master, Commander, or person in charge of such Vessel, shall forfeit a sum not exceeding Two Hundred Pounds.

Certificate of
Health-Officer
necessary to
admit Vessels
to entry

VII. *And be it further enacted*, That no Vessel whatever, subject under any order or orders of the Governor in Council, or of the Council, to be examined as aforesaid, shall be admitted to entry inwards at any Custom-House, or by any Officers of His Majesty's Customs, in this Province, until a certificate of her examination, signed by the Health-Officer, shall be exhibited to the proper Officers of the Customs.

VIII.

VIII. *And be it further enacted,* That every Health-Officer shall be entitled, and is hereby authorised to take and receive for every Vessel arriving from sea, and inspected by him, and reported upon as aforesaid such fee or fees as by any order of the Governor in Council shall be established in respect of such services, and also all such charges and expenses as may be necessarily incurred in the execution of his duty, according to such rate or table as the Governor in Council shall think fit to establish therefor; and all such fees, charges and expenses, shall be chargeable upon and paid by the Master, owner or consignee, of such Vessel, at the Custom House, before her entry inwards, or Clearance outwards thereat, and all monies so received at the Custom-House shall, by the Officers thereof, be duly accounted for and paid over to the Health-Officer.

Health Officer's
Fees, &c.

And to the end, that all nuisances and other things, whereby contagious disease may be produced or propagated, may be removed or prevented, and cleanliness maintained in all Towns within the Province:

IX. *Be it further enacted,* That it shall be lawful for the Governor, with the advice of the Council in Halifax, and for the Justices assigned to keep the Peace in any other County or District, to nominate and appoint, from time to time, such and so many Persons as may be necessary to fill the office of Health-Wardens within the Town of Halifax, and other Towns within the Province, who shall act gratuitously, and be severally sworn to the due performance of their office pursuant to this Act; and the said Health-Wardens, or any two of them, shall, and are hereby authorized and required, when and so often as they may deem it necessary so to do, to enter into, and examine, in the day time, all houses, buildings, stores, lots of land, wharves, yards, enclosures and other places whatsoever, and all vessels and boats lying at any place in this Province, and to ascertain and report to the Governor, or such persons as may be appointed to receive such Reports, the state and condition of all such buildings, places, vessels and boats, as aforesaid, in regard to any substances, articles or animals, there or therein being, or any trade, calling or business, matter or thing, there or therein used, followed or transacted, whereby, or by means whereof, any nuisance may be occasioned, or the public health be endangered or affected; and further, to give all such orders and directions, and to adopt, enforce and put in execution, such ways, means and measures, as in their judgment may be most prompt, effectual or necessary, for removing every nuisance, and cleansing and purifying every such house, building, store, lot of land, wharf, yard, enclosure or other place whatsoever, ships, vessels or boats, as aforesaid, and all, every, or any part or parts of such Towns as aforesaid, and for the immediate removal and carrying away therefrom, respectively, of all articles, substances and animals, by or by means whereof any offensive nuisance may be occasioned, or the public health affected or endangered; and further to do or cause to be done, in relation to each and every such buildings, places, ships and vessels whatsoever, and all parts of the said Towns, and in respect of all such articles, substances, animals and nuisances, therein being, every matter and thing, which, in the opinion of such Health-Wardens, or any two of them may be necessary to be done, for preserving the public health, maintaining cleanliness, and preventing contagion or infection.

Health Wardens, their duties prescribed

X. *And be it further enacted,* That it shall and may be lawful for such Health-Wardens, or any two of them, and they are hereby empowered, to order and cause any House, Warehouse, building, place, ship or boat, whatsoever, to be whitewashed, with Lime, or to be fumigated, washed or purified, by and with proper disinfecting substances, or subjected to the process necessary for disinfecting or cleansing the same; and also to order, and cause to be used, Lime or other disinfecting substances in all places where the same may be necessary, for the removal of offensive nuisances; and likewise to order or cause any article, substance, matter or thing whatsoever, that may be putrid or otherwise dangerous to the Public Health, in any part of any such town, or on board any Vessel or Boat, to be destroyed or removed, when, and to such place, and in such manner, as they shall direct.

Powers of
Health Wardens

XI. *And be it further enacted,* That whosoever shall violate, or wilfully and knowingly infringe, the provisions of this Act, or the orders or directions of any Board of Health hereafter

Infringement of
orders of
Health Officers
Wardens, &c.

hereafter to be established, or of any Health-Officer or Health-Wardens to be appointed as aforesaid, or who shall or may refuse, or wilfully neglect or omit to act in obedience to, or in conformity with, the provisions of this Act, or the orders or directions of any such Board of Health, Health-Officer or Health-Wardens, or shall resist, oppose or obstruct, the lawful execution of this Act, or any such orders or directions as aforesaid, or the said Officers in the execution of their duty, shall for every such offence be deemed guilty of a misdemeanor, and shall also incur and become liable to a penalty not exceeding One Hundred Pounds nor less than Five Pounds, for every such Offence, to be recovered in manner hereinafter provided.

Penalties, how recovered

XII. *And be it further enacted,* That all pecuniary penalties under this Act shall and may be sued for and recovered by Bill, plaint or information, in any of His Majesty's Courts of Record within this Province, in the County or District where the offence was committed, and in the name of the Health-Officers or Health-Wardens, or any two of them; and all penalties, fines and forfeitures, under this Act, shall be applied as the Governor for the time being shall direct; *Provided,* that no prosecution shall be commenced after six months after the offence committed.

Continuation of Act

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

CAP. XV.

An Act for granting Duties on Licences for the sale of Spirituous Liquors, and for other purposes, to Persons resident within the Town of Halifax.

[PASSED THE 30th DAY OF MARCH, 1832.]

Licence Duties

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, and in every year during the continuance thereof, there shall be raised, levied and collected from, and paid by every person, now licenced, or hereafter to be licenced, by any Tavern Licence, Shop Licence, or General Licence, granted or to be granted, for the sale of Rum or other strong or distilled Spirituous Liquors, Wine, Ale, Beer, Cyder or Perry, within the Town or Peninsula of Halifax, pursuant to the Rules, Regulations and Provisions, of the Act of the present Session of the General Assembly, entitled, "An Act concerning Persons Licenced to keep Public Houses and Shops, and the duties thereon," the several and respective Licence Duties and Taxes following, that is to say:—

Tavern Licence
£10
Shop Licence
£10
General Licence
10s.

For and upon every Tavern Licence, the sum of Ten Pounds, Halifax currency.
For and upon every Shop Licence, the sum of Ten Pounds; and, for and upon every General Licence, the sum of Ten Shillings; all which said several Licence Duties or Taxes, shall be paid and payable at such times, and in such proportions, and under and subject to such reductions for any time less than one year, and shall be raised, levied, collected and secured, in and by such bonds or obligations, ways and means, and under such penalties and forfeitures, and shall be applied and disposed of in such manner, and to such persons, and for such purposes, as in and by the said Act of the present Session, entitled as aforesaid, or any other Act in addition, alteration or amendment, thereof, to be passed, are or shall be provided, declared, directed or enacted, of and concerning the said Licence Duties or Licences aforesaid, or any of them respectively.

Auction Licence
£20

II. *And be it further enacted,* That, in each and every year, during the continuance of this Act there shall be raised, levied and collected, from, and paid by, every Person who shall be licenced to act as, or follow the business of, an Auctioneer, within the Town or Peninsula of Halifax, a Duty of Twenty Pounds currency, for every such Licence to be granted as hereinafter mentioned.

III. *And be it further enacted*, That every Licence to act as, or carry on the business of, an Auctioneer, shall be called an Auction Licence, and shall be granted to the applicant therefor, by the order of any Justice of the Peace, delivered to the Clerk of the Peace at Halifax, and shall be made out, and issued, by the Clerk of the Licences, upon the payment, by the party applying therefor, of the said Duty of Twenty Pounds thereon; and every such Licence shall continue and endure for the space of one year from the date thereof, and no longer; and the Clerk of the Peace, and of the Licences, shall each, for the entry and issuing such Licence, and all proceedings connected therewith, be entitled to a fee of Five Shillings and no more.

Auction Licence granted by order of the Justices of the Peace

Fees to Clerk of Peace and Licence

IV. *And be it further enacted*, That the whole amount of such Duty on Auction Licences shall be forthwith paid over, by the Clerk of the Licences, to the Commissioners of the Streets for the Town and Peninsula of Halifax, who shall apply the same Duties, or such part thereof as may be necessary therefor, to the construction and completion of the new line of Road and Bridge leading southwardly over the Fresh Water Run; *Provided*, the sum so applied do not exceed One Hundred Pounds in the whole, during the continuance of this Act.

Application of duty on Auction Licence

Proviso

V. *And be it further enacted*, That if any person whosoever shall, within the Town or Peninsula of Halifax, use, follow or practice the business or calling of an Auctioneer, or Vendue Master, or act on any occasion as such Auctioneer or Vendue Master, or sell or offer to sell, or expose for sale, at Public Auction, or outcry, or Public Vendue, in the manner of Auctioneers or otherwise, any Goods, Wares, Merchandize or personal Property whatsoever, whether belonging to himself, or to any other Person whomsoever, every such Person so doing, unless Licenced thereto, by such Auction Licence as aforesaid, shall forfeit and pay, for every such offence, the sum of Fifty Pounds, to be sued for and recovered by the Clerk of the Licences, in any Court of Record, with costs of suit, and to be applied as other Penalties for breach of the Law, respecting Licences and Licenced Houses as aforesaid, are, or may be applied or appropriated; *Provided*, that nothing in this Act contained shall extend, or be construed to extend, to Sheriffs, Constables, or other public Officers, selling under process of Law, or the Decree, order or direction, of any Court whatsoever, or to sales at Auction by the Trustees or Commissioners of Public Property in Halifax.

Penalty on Persons selling at Auction without Licence

Proviso

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

Continuation of Act

CAP. XVI.

An Act concerning Licences for selling by retail on board Ships or Vessels, in the Ports of this Province.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, the Council and Assembly, That, from and after the passing of this Act, there shall be raised, levied, collected and paid, for and upon every Ship Licence, hereafter to be granted under this Act, in any County or District of this Province, to any master or other person having charge of any Ship or Vessel arriving in this Province, and desirous of selling, by retail or otherwise, Goods, Wares and Merchandize, imported into this Province, and being on board of any such Ship or Vessel coming into the same, or arriving from any place (except as is hereinafter excepted) out of this Province, the full Licence duty or sum of Ten Pounds, Halifax Currency, at and before the issuing of such Licence; and every such Ship Licence shall and may be granted by any two Justices of the County or District wherein such

Ship Licence £10

R

Vessel

Vessel shall come or arrive, and shall be issued by the Clerk of the Licences therein, and shall be signed by him and the Clerk of the Peace, and be in such form as the Justices in Session shall prescribe therefor, and shall contain the name of the Ship or Vessel for or on board of which such Goods are licenced to be sold, and shall continue and be in force during three Months, or so long as the Vessel named therein shall remain in the port or place, or County or District, where such Licence is granted, provided her stay shall not exceed three months from her first arrival.

Masters of Vessels (with exceptions) selling without Licence

II. *And be it further enacted*, That if, without a Ship Licence first had and obtained for that purpose in manner aforesaid, the Master, Commander or other person, having the charge of any Ship or Vessel, whatsoever, coming into or arriving within any Port or place of this Province, from any Port or place out of the same (save and except from some British Colony or Possession in North or South America or the West Indies) shall, from and after the publication hereof, either by himself or by any seaman or other person, on board of any such Ship or Vessel, directly or indirectly, retail, sell, barter, exchange, or deliver on credit, or expose for sale, or offer to retail, sell, barter, exchange or deliver on credit, any Goods, Wares and Merchandize, whatsoever, imported or brought in, or being on board any such Ship or Vessel, by whatsoever name or names such Goods, Wares or Merchandize, may be called or distinguished, or shall knowingly permit or suffer any seaman or other person to retail, sell, barter, exchange or deliver on credit, or expose for sale or offer to retail, sell, barter, exchange or deliver on credit, any such Goods, Wares and Merchandize, so imported or brought in, or being on board of, any such Ship or Vessel, arriving or coming as aforesaid, before the whole cargo of such Vessel shall have been fully and finally landed, and put on shore from and out of such Ship or Vessel, and deliver therefrom to the Consignee or Consignees, Owner or Owners, of such Goods respectively, or to some Agent or Agents, of or for them respectively. Or if any such Master, Commander or person, having the charge of any such Ship or Vessel arriving as aforesaid, shall, for the purpose of retailing, selling, bartering or exchanging the same, break, draw off, or open on board of any such Vessel, any Cask or Package, imported or brought in any such Ship or Vessel, or knowingly permit the same to be done, or shall in any wise or manner use such Ship or Vessel, or any part thereof, or permit the same to be used as a shop or store, for the retail, sale, barter, or exchange of any article or thing whatsoever, imported or brought in the same, then and in every such case the party so offending against this Act shall forfeit and pay a penalty of Fifty Pounds, to be sued for and recovered in such and the like manner, and by the same persons, and to be applied to the same purposes, as penalties and forfeitures incurred by persons selling Spirituous Liquors without Licence, are or may be sued for, recovered and applied respectively.

Application of duty on Ship Licence

Fees to Clerks of Peace

Proviso

III. *And be it further enacted*, That the said duty hereby imposed on the several Ship Licences herein before directed to be granted, shall, in the Town and Peninsula of Halifax, be forthwith paid over to the Commissioners of Streets thereof, and in all other parts of the Province shall be paid as other the Licence duties on Tavern or Shop Licences—And the several Clerks of the Peace and Clerks of Licences shall, for and upon every Ship Licence, have and be entitled to the like fees and allowances as upon other Licences and Licence duties; *Provided always, and be it further enacted*, That nothing herein contained shall extend or be construed to extend to any bricks, stone, lime or building materials, or to timber or lumber of any description, or to salt or coals, imported or brought as aforesaid, nor to any resident Inhabitant or Householder of this Province, importing or selling as aforesaid.

Continuation of Act

IV. *And be it further enacted*, That this Act shall continue and be in force until the Thirty-first day of March, in the Year of Our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

CAP. XVII.

An Act for granting Duties on Licences for the sale of Spirituous Liquors in Taverns, Public Houses or Shops, and for other purposes.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, and in every year during the continuance thereof, there shall be raised, levied and collected, from, and paid by, every person now licenced or hereafter to be licenced, by any Tavern Licence or Shop Licence, granted, or to be granted, for the sale of Rum or other strong or distilled Spirituous Liquors, Wine, Ale, Beer, Cider or Perry, at any Town or Place within this Province, (save and except only the Town and Peninsula of Halifax,) pursuant to the rules, regulations and provisions, of the Act of the present Session of the General Assembly, entitled, "An Act concerning persons licenced to keep Public Houses and Shops, and the duties thereon," the several and respective Licence Duties and Taxes following, that is to say:—

Licence Duties
in Country

For and upon every Tavern Licence, the sum of Three Pounds, Halifax Currency.

Tavern Licence £3
Shop Licence £5

For and upon every Shop Licence, the sum of Five Pounds; which said several Licence Duties or Taxes shall be paid and payable at such times and in such proportions, and under and subject to such reductions for any time less than one year, and shall be raised, levied, collected and secured, in and by such bonds or obligations, ways and means, and under such penalties and forfeitures, and shall be applied and disposed of in such manner and to such persons, and for such purposes, as in and by the said Act of the present Session, entitled as aforesaid, or any other Act in addition, alteration or amendment, thereof, to be passed, are or shall be provided, declared, directed or enacted, of and concerning the said Licence Duties or Licences aforesaid, or any of them respectively.

II. *And be it further enacted*, That no General Licence whatever shall be granted, made or issued, to any person or persons whomsoever, residing in any part of this Province, save and except only to persons residing in the Town or Peninsula of Halifax.

General Licence not
granted in
Country

III. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-three, and no longer.

Continuation of
Act

CAP. XVIII.

An Act relating to Passengers from Great-Britain and Ireland, arriving in this Province.

[PASSED THE 16th DAY OF FEBRUARY, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the time this Act shall go into operation as hereinafter mentioned, whenever any Ship or Vessel shall arrive or come into any Port or place within this Province, from any port or place in Great-Britain or Ireland, the Master or Commander of such Ship or Vessel, immediately after the arrival thereof, and before such Ship or Vessel shall be admitted to an entry, shall either make and subscribe a declaration before the Collector, or other principal Officer or Officers of his Majesty's Customs for the port or place where such Ship or Vessel shall arrive as aforesaid, that no passenger or passengers embarked or sailed from Great-Britain, or Ireland, on board of such Ship or Vessel, on her said voyage to this Province, or otherwise shall make out and deliver to the said Collector,

Declaration to
be made by
Masters of Vessels
arriving
with Passengers

Collector, or other principal Officer or officers, a Schedule or List in writing, to be signed by him, setting forth the name or names, trade, occupation, profession or employment, of all and every passenger or passengers who shall or may have respectively been embarked, or have sailed, on board of such Ship or Vessel, at or from any port or place in Great-Britain, or Ireland, on her said voyage to this Province, and also the name or names, trade, occupation, profession or employment, of all and every passenger or passengers respectively, who shall or may arrive and be landed from such Ship or Vessel in any port or place within this Province.

II. *And be it further enacted*, That before any such Ship or Vessel, so arriving as aforesaid, having on board any passenger or passengers from Great-Britain or Ireland, to any Port or Place within this Province, or who shall or may be landed within this Province, shall be admitted to an entry, there shall be paid by the Owner or Owners, Master or Commander, of such Ship or Vessel, to the Collector or other principal Officer or Officers of the Customs for the Port or Place in this Province where such Ship or Vessel shall arrive, the sum of Ten Shillings of the current money of this Province, for each and every passenger who shall or may have embarked, or taken passage in, such Ship or Vessel from Great-Britain or Ireland, and been landed within this Province; *Provided always*, That if a certificate that all and every the passenger or passengers in and board of such Ship or Vessel respectively, were embarked by and with the sanction of His Majesty's Government, signed by the principal Officer of the Customs at the Port of Clearance of such Ship or Vessel in Great-Britain or Ireland, shall be produced and shewn to the Collector or other principal Officer or Officers of the Customs at the port or place in this Province where such Ship or Vessel shall or may arrive as aforesaid, then, and in such case, there shall be paid by the owner or owners, master or commander, of such Ship or Vessel, for each and every passenger, the sum of Five Shillings of the current money of this Province and no more.

III. *And be it further enacted*, That it shall not be lawful for the Collector or other principal Officer or Officers of any port or place within this Province, to grant any clearance to any such Ship or Vessel, so bringing any passenger or passengers into this Province as aforesaid, until the said sums of Five Shillings or Ten Shillings, as the case may be, for each and every passenger, shall be paid as herein before directed.

IV. *And be it further enacted*, That all Monies which shall or may be collected and received by the Collector or other Officers of the Customs within this Province, under the directions and provisions of this Act, shall be, from time to time, when, and so soon as, the same shall be collected and received by them respectively, paid into the Treasury of this Province, to be applied as hereinafter directed.

V. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, by warrant under his hand and seal, to draw from the Treasury, from time to time, all or any such Monies, and to pay and apply the same in such manner, and to such uses and purposes, for the benefit of poor Emigrants arriving in this Province, as he shall deem most expedient; *Provided always*, That an account of the disposal and application of such Monies shall be submitted to the House of Assembly at each Session of the General Assembly.

VI. *And be it further enacted*, That if any Master or Commander of any Ship or Vessel from Great-Britain or Ireland, with any passenger or passengers on board, arriving at any port or place within this Province, shall neglect or refuse to make out, and deliver to the Collector or other principal Officer or Officers, such Schedule or List in writing as is herein before required, or shall fraudulently make and subscribe any such declaration, or make out and deliver any such Schedule or List, which shall be false and untrue in any particular, then, and in either of such cases, such Master or Commander shall forfeit and pay the sum of One Hundred Pounds, to be sued for and recovered in any of His Majesty's Courts of Record within this Province, by bill, plaint or information, at the suit of His Majesty, or of any one of the Officers of His Majesty's Customs within this Province, one half of the said sum to be paid to the person who shall

Sum to be
paid for each
Passenger

Clearance to be
withheld until
sum is paid for
Passengers

Sum received
on account of
Passengers to
be paid into
Treasury

Application of
Passengers mo-
ney

Neglect of
Masters of Ves-
sels to make
Lists of Passen-
gers

shall sue for the same, and the other half to be paid into the Treasury of this Province, to be drawn for, and applied, and accounted for, in the same manner as herein before directed with respect to the other monies to be collected and received under and by virtue of this Act.

VII. *And be it further enacted*, That any Master or other person in command or charge of any such Ship or Vessel, which shall have cleared out from any port or place in Great-Britain or Ireland, for any port or place in this Province, who not being compelled thereto by absolute necessity, to be adjudged of by the said Officers of His Majesty's Customs, shall land, or shall knowingly suffer to land, any passenger or passengers in any port or place within this Province; or any other of the North American Colonies before making the entry and declaration herein before required, or otherwise contrary to the provisions of this Act, shall forfeit and pay the sum of Ten Pounds for every such passenger so landed, to be recovered by bill, plaint, or information, in any Court of Record in this Province.

Landing of
Passengers be-
fore Entry

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

Ships of War,
&c. exempted
from this Act

IX. *And be it further enacted*, That this Act shall not go into operation until after the first day of July next, and shall continue and be in force for three years from the said first day of July next, and from thence to the end of the then next Session of the General Assembly.

Continuation of
Act

CAP. XIX.

An Act to authorise the erection of a Public Slaughter-House, for use of the Town of Halifax.

(PASSED THE 14th DAY OF APRIL, 1832.)

BE it enacted by the Lieutenant-Governor, the Council and Assembly, That the Justices assigned to keep the Peace for the District of Halifax, and resident in Halifax, shall, and they are hereby empowered by any order or orders of the said Justices, made at any their General Quarter Sessions of the Peace, or at any Special Sessions thereof, convened for such purpose, to direct and appoint some suitable and convenient lot or parcel of Land within the Town or Peninsula of Halifax, to be purchased or obtained for the scite of proper Buildings or Erections for the killing, slaughtering and dressing, all Cattle and other Animals for food, brought for the Markets of the said Town, and for the erecting and completing on such lot of Land a public Slaughter House for those purposes, with all necessary appurtenances thereto, and also for raising, taking up and borrowing at Interest, on the credit of the Town of Halifax, all such sum and sums of money as may be necessary for the purchase of the proper scite and completing such public Slaughter-House as aforesaid, with all appendages necessary for the use thereof; and the Title and Property in the said Land and Buildings shall be vested in such persons, as from time to time shall be, by the said Justices, appointed to be Trustees thereof, or who shall be Trustees of the Public Property of the said Town.

Justices in Ha-
lifax to provide
Public Slaugh-
ter House

II. *And be it further enacted*, That the Trustees for the time being, in whom the Title of and in the Land and public Slaughter-House aforesaid, shall be vested, shall, and they are hereby required from time to time, as in and by any order or orders of the said Justices, made as aforesaid, may be directed, to make, seal and execute to any person or persons, all such Deeds, Mortgages, or other Securities of the lot of Land so to be purchased as aforesaid, as shall be approved of by the said Justices, for the

Security to be
given for mo-
ney borrow'

amount of any principal monies, which shall or may be advanced under this Act by any persons whomsoever, for the purposes of the purchase or Buildings aforesaid, so as thereby no personal responsibility be imposed on or be incurred by such Trustees or any of them; and all such Deeds, Mortgages or Securities, so executed, conformably to any orders or directions as aforesaid, shall be deemed good and legal Mortgages, charges and incumbrances, upon the lands and premises therein described, and for the full amount of the principal monies advanced, and interest to grow due thereon respectively.

Keepers and
Superintendent
of Slaughter
House

III. *And be it further enacted,* That the Land so to be purchased, and the buildings thereon to be erected, shall be and be deemed the Public Property of the said Town of Halifax, and shall be under the control, management and direction, of the said Justices for the time being, who are hereby empowered from time to time, by any their orders made as aforesaid, as well to appoint fit and proper persons to be Keepers or Superintendants of, or to take charge of, the said Public Slaughter-House and Premises, as also to establish the rates and payments to be charged upon, and paid by, all Butchers, and other persons who shall use such Slaughter-House; and further to make and establish regulations for the disposal and removal of all offal manure, and other matters accumulated in or about the said buildings, and for the cleansing the same; and especially for the due regulations of the said Slaughter-House, and causing all rules and regulations to be made respecting the same to be punctually observed and obeyed.

Rules and Re-
gulations

IV. *And be it further enacted,* That all monies from time to time received from or for the use of the said Slaughter-House, or by the disposal of any offal manure or other matters there collected, and all the profits of the said Establishment, shall, under the orders and directions of the said Justices, be applied to the payment of the Interest, and the liquidation of the principal monies borrowed and from time to time payable thereon, and in defraying other the necessary charges of the said Establishment.

Monies arising
from Slaughter
House

Refusal to pay
Slaughter
House Rates

V. *And be it further enacted,* That upon refusal to pay the rates or charges, established for the use of the said Public Slaughter-House, the amount of such rates and charges shall and may be recovered before any Court, or Commissioners having Jurisdiction, and by a suit or suits in the name of the Keeper or Superintendant for the time being of the said Establishment, and in the manner as if the said rates or charges constituted a private debt due to him, and such Keeper or Superintendant shall moreover have the ordinary remedy of distress as in case of Rent therefor.

Plan and Esti-
mate of Slaugh-
ter House

VI. *And be it further enacted,* That the Plans and Estimates for the purchase of the Ground, and for the Buildings and Erections of the said Establishment shall, before they are acted upon, be approved by the Grand Jury and the said Justices in Sessions, and the erection of the necessary Buildings, and all the works of the said Establishment, shall be carried on, and conducted by, such Persons as the said Justices shall appoint to be Managers or Commissioners therefor, and all accounts connected with the building, providing and conducting the said Establishment, and the receipts and expenditures thereof, shall be annually submitted to, and be audited by, the said Grand Jury.

Opening of
Slaughter
House

VII. *And be it further enacted,* That so soon as the said Public Slaughter-House, and the necessary appurtenances thereof, shall have been completed, and made ready to be used for the purposes of the said Establishment, the said Justices, by any their order made as aforesaid, shall fix a day for the opening the same for public use, of which time fifteen days previous notice shall be given, by advertisements inserted in the several Newspapers printed in Halifax, and, from and after the day so appointed, the said Public Slaughter-House shall be used and resorted to by all Butchers and other persons who may require to Kill, Slaughter or Dress for Market, any Cattle, Sheep, Calves or Hogs, within that part of the Town or Peninsula of Halifax, which the Justices in Session shall fix upon and decide as proper limits for the purposes of this Act; and, if any Cattle, Sheep, Calves or Hogs, shall be Killed, Slaughtered or Dressed, for Market, within that part of the said Town or Peninsula, contained within the said Lines and Limits to be fixed as aforesaid, after the day so appointed, or at any place whatsoever, other than, and except in, the said Public Slaughter-House, then every such act of Killing, Slaughtering, or Dressing for Market, any such animal as aforesaid, shall

shall be, and be deemed, a Public Nuisance, and be punishable accordingly, and all and every the Cattle or other animals so Slaughtered or Dressed for Market, and every part thereof, shall be forfeited, and shall and may be seized and taken by any the Keepers or Superintendants of the said Establishment, and be sold and disposed of for the benefit thereof; and further for each and every such offence, the offender or offenders shall incur, forfeit and pay, a fine of Ten Pounds, for the use and benefit of the said Establishment, and to be recovered by any the Keeper or Superintendant thereof, in like manner as if the amount of such fine was a private debt to him or them due from such offenders respectively.

Violation of Act

VIII. *Provided always, and be it further enacted,* That nothing herein contained shall extend, or be construed to extend, to prevent any Butcher whatsoever from erecting a Slaughter-House, or from Slaughtering Cattle, at any place in the Town or Peninsula of Halifax, not being within the limits by the said Justices to be assigned as aforesaid.

Butchers allowed to erect Slaughter Houses a certain distance from Town

IX. *And be it further enacted,* That, after the Debt incurred in borrowing monies for the purchase of the Scite, and erecting and completing the building and appendages of the said Establishment, shall have been paid off, with all Interest and charges attending the same, all sums whatever arising from the Rates or Charges made for the use of the said Establishment, and from all fines and forfeitures, and from the proceeds of all Meat so seized as aforesaid, shall be applied to the use and benefit of the Inhabitants of the said Town of Halifax, in like manner as other the proceeds of the Public Property, thereof are or may be by Law directed to be applied.

Overplus Monies—after expences paid

X. *Provided always, and be it further enacted,* That from and after the first day of July next, and until the Public Slaughter-House herein before provided for, shall be erected and opened as aforesaid, it shall and may be lawful for the Justices in Session as aforesaid, to make and establish such Rules and Regulations, as to them from time to time may appear necessary and expedient, for prohibiting and preventing the Killing, Slaughtering or Dressing for Market, of any Cattle, Sheep, Calves or Hogs, within such parts of the Town and Peninsula of Halifax, as by the said Justices shall be limited and established in this behalf, and whosoever, after the publication of such Rules and Regulations, shall, within the limits and boundaries therein prescribed, Kill, Slaughter or dress for Market, any such animal, shall be guilty of a common nuisance, and shall be punished accordingly.

Proviso

XI. *And provided also, and be it further enacted,* That no charge, assessment or expense whatsoever, shall be imposed, raised, charged or assessed upon the Town of Halifax, or the Inhabitants thereof, under and by virtue, or in consequence, of the Powers and authorities in this Act contained, for purchasing the scite for the said Public Slaughter-House, and erecting the same, or for or in any wise in respect thereof, but all such charges and expenses shall be raised, obtained and procured, wholly upon the credit and security of the said Lot of Land and Establishment of the Slaughter-House aforesaid.

No assessment to be made on account of new Slaughter House

CAP. XX.

An Act to continue the Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

[PASSED THE 16th DAY OF FEBRUARY, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act made and passed, in the Forty-eighth year of the Reign of His late Majesty King

Acts 48th, 51st and 53d Geo. III. continued

King George the Third, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops or of the Militia, when on their march from one part of the Province to another; and also, the Acts passed in the Fifty-first and Fifty-third years of His said late Majesty's Reign, in amendment thereof, and every matter, clause and thing, in the said Acts contained shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXI.**An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.**

(PASSED THE 16th DAY OF FEBRUARY, 1832.)

Act 10th Geo.
IV. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Tenth year of His late Majesty's Reign, entitled, An Act concerning the Terms of the Supreme Court at Halifax, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued for one Year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXII.**An Act to continue the Act in further amendment of an Act to regulate the Jurisdiction of the Inferior Court of Common Pleas, within the County of Cape-Breton, and to fix and establish the times and places for holding of the said Inferior Court, and General Sessions of the Peace, in and for the said County.**

(PASSED THE 16th. DAY. OF FEBRUARY 1832.)

Act 10th Geo.
IV. (with ex-
ception) con-
tinued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the eighth year of His late Majesty's Reign, entitled, An Act in further amendment of an Act to regulate the Jurisdiction of the Inferior Court of Common Pleas within the County of Cape-Breton, and to fix and establish the times and places for holding of the said Inferior Court, and General Sessions of the Peace, in and for the said County, and every matter, clause and thing, therein contained, except so far as the same is or may be altered by the Act, passed in the Ninth year of His said late Majesty's Reign, entitled, An Act in further amendment of an Act to regulate the times and places for holding the Inferior Court and General Sessions of the Peace, in and for the County of Cape-Breton, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXIII.

An Act to amend the Act to extend to Bridgetown, in the County of Annapolis, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.

(PASSED THE 16th DAY OF FEBRUARY, 1832.)

WHEREAS, the bounds and limits prescribed by the second clause of the Act, passed in the Eighth Year of His late Majesty's Reign, entitled, An Act to extend to Bridgetown, in the County of Annapolis, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, have been found inconvenient :

Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, instead of the bounds and limits so prescribed in the said second clause of the said Act, the Jurisdiction, powers and authorities, of the Commissioners now, appointed, or hereafter to be appointed, under and by virtue of the said Act, shall be exercised and confined, and restricted to, and within the bounds and limits following, that is to say, beginning at the western boundary line of William Ruffee, one half a mile to the northward of the Granville Main Road, as now situate, thence westwardly until it meets the eastern boundary line of William Troop, thence southerly until it reaches the Annapolis River, thence the course of the said River to the said western line of said William Ruffee, thence northwardly the course of said line to the bound first mentioned.

Preamble

Limits of
Bridgetown
prescribed

CAP. XXIV.

An Act to continue the Act to regulate the weighing of Beef,

[PASSED THE 16th DAY OF FEBRUARY, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Tenth year of His late Majesty's Reign, entitled, An Act to regulate the Weighing of Beef, and every matter, clause and thing, therein contained shall be continued, and the same are hereby continued, for three years, and from thence to the end of the then next Session of the General Assembly.

Act 10th Geo.
IV. continued

CAP. XXV.

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

[PASSED THE 16th DAY OF FEBRUARY, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Tenth Year of His late Majesty's Reign, entitled, An Act in addition to, and in amendment of, an Act, passed in the Third Year of the Reign of His late Majesty King George the Third, entitled, An Act to prevent Nuisances by Hedges, Wears and other Incumbrances; obstructing the passage of Fish in the Rivers in this Province, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for three Years, and from thence to the end of the then next Session of the General Assembly.

Act 10th Geo.
IV. continued

CAP. XXVI.

An Act to continue the several Acts respecting the Liverpool Light-House.*(PASSED THE 16th DAY OF FEBRUARY, 1832.)*Acts 52d and
59th Geo. III.
continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Fifty-second year of the Reign of His late Majesty King George the Third, entitled, An Act to provide for the support of a Light-House on the south end of Coffin's Island, on the eastern side of the entrance of Liverpool Harbour; and also, the Act, passed in the Fifty-ninth year of the Reign of His said late Majesty King George the Third, to revive, continue and amend, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby severally continued, for three years, and from thence to the end of the then next Session of the General Assembly.

CAP. XXVII.

An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton.*(PASSED THE 16th DAY OF FEBRUARY, 1832.)*

Sydney Pilotage Act continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the last Session of the General Assembly, entitled, An Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for Three Years, and from thence to the end of the then next Session of the General Assembly.

CAP. XXVIII.

An Act to continue the several Acts relating to the Light-House erected on Cranberry Island, near the entrance of the Gut of Canso.*(PASSED THE 16th DAY OF FEBRUARY, 1832.)*Acts 3d and
4th Geo. IV
continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Third year of His late Majesty's Reign, entitled, An Act to provide for the support of a Light-House, erected on Cranberry Island, near the entrance of the Gut of Canso; also the Act, passed in the Fourth year of His said late Majesty's Reign, to continue, alter and amend, the said Act; also an Act, passed in the Sixth year of His said late Majesty's Reign, to alter and continue the said Acts, and every matter, clause and thing, in the said several Acts contained, shall be continued, and the same are hereby continued, for Three Years, and from thence to the end of the then next Session of the General Assembly.

CAP. XXIX.

An Act to continue the Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships.

(PASSED THE 16th DAY OF FEBRUARY, 1832.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Tenth year of His late Majesty's Reign, entitled, an Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Act 10th Geo. IV. continued

CAP. XXX.

An Act to amend and continue the Acts now in force relating to Trespasses.

[PASSED THE 16th DAY OF FEBRUARY, 1832]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Third year of His late Majesty's Reign, entitled, An Act for consolidating and reducing into one Act, all the Acts heretofore made, relating to Trespasses, except so far as the same may be hereinafter altered and amended; and also, the Act, made and passed in the Fourth and Fifth Years of His said late Majesty's Reign, to alter, amend and continue, the said Acts; and also, the Act, made and passed in the Ninth Year of His said late Majesty's Reign, to alter and continue the said Acts, and every matter, clause and thing, in the said several Acts contained, except as aforesaid, shall be continued, and the same are hereby severally continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Acts continued

And whereas, it is expedient to remove any doubts, as to the amount of Penalties or Fines, which can or may be imposed by any Justice of the Peace, under the Twentieth Section of the said Act, made and passed in the Third Year of His said late Majesty's Reign.

II. *Be it therefore enacted*, That no Fines or Penalties exceeding in the whole the sum of Five Pounds, shall be imposed under the said Section of the said Act, by any Justice of the Peace, against any person or persons whomsoever, for any one offence for which he or they shall be convicted.

Amount of fines

CAP. XXXI.

An Act relating to Marriage Licences.

(PASSED THE 14th DAY OF APRIL, 1832.)

WHEREAS, it is expedient that the Ministers of various Denominations of Christians within this Province should possess the Power of Solemnizing Marriages by Licence, without publication of Banns, according to the Forms of their respective Churches, or Religious Persuasions, and it is expedient that such Power should be granted:

Preamble

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That, upon the application of any persons, desiring to enter into the Marriage State, or of any person

Marriage Licences may be

directed to Ministers of any Congregations of Christians

person or persons authorized to act in their behalf, it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to direct Licences to the duly Ordained and Settled Ministers of any Congregation of Christians in this Province, dissenting from the Church of England, authorizing such Minister to solemnize Marriage between such Persons without Publication of Banns, according to the Forms of the Church or Religious Persuasion, to which such Minister shall belong, in the same manner as Licences are now granted to Clergymen of the Established Church.

Provis

Provided always, That the Man or Woman so to be Married, without Publication of Banns, shall belong to the same Persuasion of Christians to which the Minister, to whom they require such Licence to be directed, shall belong.

Royal assent required

Provided always, That nothing herein contained shall be of any force or effect until His Majesty's pleasure be known herein.

Continuation of Act

II. *And be it further enacted,* That this Act shall continue and be in force for three Years from the time His Majesty's Assent shall be signified thereto, and from thence to the end of the then next Session of the General Assembly.

CAP. XXXII.

An Act to regulate certain Landings in the county of Annapolis.

(PASSED THE 14th DAY OF APRIL, 1832.)

Public Landings, Piers and Wharves, in Digby, Billiveux Cove and Wilmot placed under direction of Magistrates

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, the Public Slip and other Landings in the Town Plot of Digby, in the County of Annapolis, and also, the Pier or Wharf at Billiveux Cove, in the Township of Clare, and Gates Pier, in the Township of Wilmot, in the County aforesaid, shall be under the charge, care and custody, of the Justices of the Peace, for the said County, and it shall and may be lawful for the said Justices from time to time at any General Sessions of the Peace, to be holden at Annapolis and Digby in the said County, to make such orders, rules and regulations, as shall appear to them to be expedient, and necessary for the due ordering and keeping of the said Public Slip and Landings in the Town Plot of Digby and the said Piers or Wharves at Billiveux's Cove and Wilmot aforesaid, and to impose any fine or penalty, not exceeding the sum of Three Pounds, for the breach of any of the said orders, rules and regulations, to be made as aforesaid.

Charges for Wharfage

II. *And be it further enacted,* That it shall and may be lawful for the said Justices, (if to them it shall seem expedient so to do) to impose charges of Wharfage on all Ships, Vessels and Goods, that shall make use of, or be landed on the said Piers or Wharves at Billiveux's Cove, and Wilmot aforesaid, and all such charges to be applied to the support and maintenance of the said Piers or Wharves, and shall order and direct the manner in which the same shall be collected.

Recovery of charges for Wharfage

III. *And be it further enacted,* That all such charges for Wharfage and fines or penalties, shall be sued for and recovered in the same manner, and with the same costs, as any Debt or Debts of the like amount are or shall be by Law recoverable, and such fines or penalties shall be paid and applied as follows, that is to say, one half to and for the use of His Majesty, His Heirs and Successors, and the other half to any person or persons who shall sue for the same.

CAP XXXIII.

An Act to alter the Sittings of the Courts of Common Pleas, and General Sessions of the Peace, for the Districts of Pictou and Colchester.

[PASSED THE 14th DAY OF APRIL, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the Publication of this Act, the Court of Common Pleas, and General Sessions of the Peace, for the district of Colchester, shall be held at Truro, in that District, on the second Tuesday of January, in every year, instead of the third Tuesday of January, as now by Law required; and that the Court of Common Pleas and General Sessions of the Peace, for the district of Pictou, shall be held at Pictou, in the said District, on the third Tuesday of January, in every year, instead of the fourth Tuesday of January, as now by Law required; and that all Judges, Justices, Sheriffs, Coroners, Constables, and other persons whomsoever, shall take notice hereof and govern themselves accordingly.

Times of holding Courts of Common Pleas in Truro and Pictou

CAP. XXXIV.

An Act additional to the Act to regulate the Pilotage of Vessels at the Port of Halifax, and to the Act in amendment thereof.

(PASSED THE 14th DAY OF APRIL, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That it shall be lawful for the Commissioners of Pilots, under and by virtue of the Act, passed in the Eleventh year of His late Majesty's Reign, entitled, An Act to regulate the Pilotage of Vessels at the Port of Halifax, appointed, and they are hereby authorised from time to time, to make, alter, change and establish, such bye-laws and regulations as in the ninth section of the said Act are mentioned and provided for, either by and with the approbation of any Special Sessions of the Justices assigned to keep the Peace at Halifax, convened or assembled, to consider of, and approve, such bye-laws and regulations at any time or times whatsoever; or by and with the approbation of the said Justices in any their General Quarter Sessions at Halifax, as in and by the said Act is provided.

Power given to Commissioners of Pilots

II. And be it further enacted, That the rates of Pilotage for taking any Ship or Vessel from and out of the Harbour of Halifax; shall henceforth be the same as those established for the Pilotage of Ships and vessels into the said Harbour, instead of being one third less than these rates, as by third section of the Act in amendment of the said Act is provided.

Pilotage of Vessels out of Harbour

III. And be it further enacted, That every Licenced Pilot, who shall be detained on board any Ship or Vessel, which he shall have piloted into this Harbour, after the day of the arrival and anchoring of such Vessel, whether such detention shall be occasioned in consequence of any Quarantine Regulations, or by other cause preventing the departure or landing of such Pilot, shall be allowed and paid for every day of such his detention the like sum of Five Shillings, in addition to his Food on board such Vessel, and to be recovered in manner as aforesaid.

Licensed Pilots detained on board of Vessels

CAP. XXXV.

An Act concerning the Inferior Courts of Common Pleas within this Province.

(PASSED THE 14th DAY OF APRIL, 1832.)

Inferior Courts
may order Spe-
cial Juries

BE it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for any of His Majesty's Inferior Courts of Common Pleas, within this Province, upon Motion made on behalf of any party in any cause therein depending, to order a Special Jury to be struck in such case, and to be summoned for the Trial thereof, under such rules and regulations, and in the same manner, and with the same fees, and subject to the same fines, penalties, and restrictions, as Special Juries are or may now by Law be granted, ordered or summoned, in the Supreme Court of Judicature of this Province.

Continuation of
Act

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

CAP. XXXVI.

An Act to extend to Falmouth, in the County of Hants, the Provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.

(PASSED THE 14th DAY OF APRIL, 1832.)

Act 7th Geo.
IV. extended
to Falmouth

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the seventh year of His late Majesty's Reign, entitled, An Act relating to Commissioners of Highways in Halifax, and certain other places, and all the regulations and provisions thereof, with every matter, clause and thing, therein contained, shall be extended, and the same are hereby extended, to the Township of Falmouth, in the County of Hants, and it shall be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, to appoint five respectable Inhabitants and Freeholders of the Township of Falmouth, aforesaid, to be Commissioners of Highways therein, for the purpose of carrying into effect the provisions and regulations of the said Act, and to proceed to supply any vacancy that may occur amongst such Commissioners, and such appointment to renew when necessary in the same manner as is pointed out and provided by the said Act.

Commissioners
of Highways
for FalmouthJurisdiction of
Commissioners

II. And be it further enacted, That the jurisdiction, powers and authorities, of the said Commissioners, when appointed, shall be the same as if the said Township of Falmouth had been originally named and mentioned in the said Act, and shall extend over all the Roads and Streets within the said Township.

Powers of Sur-
veyors of High-
ways discontin-
ued

III. And be it further enacted, That from and after the first day of July next, the authority, powers and jurisdiction, of the Surveyors of Highways, within the said Township of Falmouth, shall cease and determine, any Law, Usage or Custom, to the contrary notwithstanding.

Continuation of
Act

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

CAP. XXXVII.

An Act to continue an Act for the Summary Trial of Actions, and the Act in amendment thereof.

(PASSED THE 16th DAY OF FEBRUARY, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the Third year of His late Majesty's Reign, entitled An Act for the Summary Trial of Actions; and also, the Act in amendment thereof, passed in the Sixth year of His said late Majesty's Reign, and every matter clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Acts 3d and
6th Geo. IV.
continued

CAP. XXXVIII.

An Act relating to the Lawrence Town River.

(PASSED THE 14th DAY OF APRIL, 1832.)

WHEREAS, about three years since, a Bridge was built partly with public money and partly by private contributions, over the East branch of the Lawrence Town River, at a place called the Falls, and which Bridge forms a communication by land between Dartmouth and Chizencook and other Settlements to the Eastward, which is of extensive public convenience :

Preamble.

And whereas, the late John Davidson Hawthorn, Esquire, deceased, Henry Green, William Crooks and William Stowell, as Commissioners of Sewers, at the request of divers Proprietors of marsh and sunken Lands lying above the said Bridge, some time since, commenced the erection of an Aboiteau or embankment across the said River, at or near the said Falls, and in connexion with the said bridge, and proceeded to considerable extent toward the completion thereof at a large expense :

And whereas, certain Inhabitants on or near the said River, were dissatisfied with the said erection, and complained that, by means thereof, the navigation was obstructed and the Fishery injured, while other of the Inhabitants greatly desired the said undertaking to be completed, and allege, that it has been, and will continue to be, the occasion not only of the production of largely increased quantities of Hay and other agricultural produce, to the great benefit of the poor Settlers, but also, if finished upon a right construction, would be of advantage to the navigation and fishery.

And whereas, an Indictment in the Supreme Court at Halifax, was preferred against the said John Davidson Hawthorn, Henry Green, William Crooks and William Stowell, for the erection of the said Aboiteau, in which a verdict passed against them, but, in the said action, the Jury, by the Rules of Law laid down for their guidance, were not permitted to consider whether the said Aboiteau might not be formed so as not to injure the Navigation or Fishery of the said River, nor any questions of general benefit resulting from its erection, and no Judgment has yet been given upon the said Verdict :

And whereas, it is desirable that the said Aboiteau should not be abated, provided it can be so constructed as not to prejudice the Navigation or Fishery of the said River, in as much as it appears that great benefit results to the Proprietors, and also to the poor Settlers by the improvement, thereby effected of the said marsh or sunken land, and the increased quantities of Hay, Grain, and other produce arising therefrom.

I. BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, immediately after the passing of this Act, to appoint and commission three fit and proper persons to be Commissioners

Appointment
of Commis-
sioners

Commissioners for the purposes hereinafter mentioned, and from time to time to fill up any vacancies occasioned by death, removal, or refusal to act; which said Commissioners shall be sworn before one of the Judges of the Supreme Court, or of the Inferior Court of Common Pleas, for the District of Halifax, impartially and faithfully to discharge to the best of their ability the duties intrusted to them by this Act.

Duty and power of Commissioners

II. *And be it further enacted,* That such Commissioners so appointed and sworn, or any two of them, shall have full power to call before them, at such times and places as they shall think fit and reasonable, the Survivors of the said Commissioners of Sewers, and all or any of the proprietors of Land upon the said River, and all parties directly or indirectly interested in the said River, its Navigation or Fishery, and to examine as well the said several parties as all witnesses who may be produced before them on Oath, which Oath the said Commissioners or any of them are hereby authorised to administer; and the said Commissioners or any two of them shall inquire into the state, character and condition, of the Navigation and Fishery of the said River, before the erection of the said Aboiteau, and the effects produced thereon by the said erection and the Agricultural advantages consequent upon such erection, and how far the same may conduce to the profit of the proprietors, and likewise to any general benefit to the Settlers in that Neighbourhood or elsewhere; and in case they shall be of opinion that the said Aboiteau, as now erected, is, or probably would be, injurious to the Navigation or Fishery aforesaid, then they shall inquire and ascertain whether the said Aboiteau may not be so constructed as not to injure the said Fishery, or in any essential manner obstruct the said Navigation.

Commissioners may allow Aboiteau to be constructed

III. *And be it further enacted, by the authority aforesaid,* That in case the said Commissioners, or any two of them, shall be of opinion that the said Aboiteau may be so constructed or finished as not to injure the said Fishery, or essentially to obstruct the said Navigation, then they shall give directions to the persons interested in the said erection as to the mode of constructing or finishing the same, and the number, size, shape, position and character, of the Sluices and Gates to be used therein; and it shall and may be lawful for the persons interested in the said work, at their own cost, expence and charges, to proceed under the direction and authority of Commissioners of Sewers, or otherwise, to construct and finish the same, in the manner which shall be so directed by the said Commissioners appointed by virtue of this Act, or any two of them.

Report to be made of completion of Aboiteau

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Commissioners or any two of them, when the work aforesaid shall be completed, to visit and examine the same and to inquire into and ascertain the consequences and effects thereof upon the said Fishery and Navigation, and for this purpose if necessary to examine witnesses on oath, which Oath they or any one of them are and is authorized to administer; and if the said Commissioners or any two of them shall be satisfied that the said Aboiteau has been so constructed and finished as not to injure the said Fishery or essentially to obstruct the said Navigation, they or any two of them shall certify such their opinion to His Excellency the Governor, or Lieutenant-Governor, in writing, under their hands, whereupon the said Aboiteau shall thenceforth be considered to be and shall be a legal erection, and shall not by any person or persons, or under any Act, Process or Judgment of Law whatsoever, or under color or pretence thereof, be liable to be abated, protracted or destroyed or in any manner injured, any law, usage or right, to the contrary notwithstanding.

Proceedings under verdict stayed

V. *And be it further enacted,* That, in the mean time, all proceedings under the said verdict shall be stayed, and it shall not be lawful for any person or persons on any pretence to abate, prostrate, destroy or injure, the said work, now or hereafter to be erected as aforesaid, unless the Commissioners to be appointed by virtue hereof, or any two of them, shall report that the said Aboiteau cannot be constructed in such manner as not to injure the said Fishery or not essentially to obstruct the said Navigation.

Expences

VI. *And be it further enacted, by the authority aforesaid,* That all expences and charges incurred not only in and about the said work, but also the reasonable remuneration and charges of the Commissioners who may be appointed by virtue hereof, or which may

may otherwise arise in pursuance of the authority hereby granted, shall be paid and borne by the parties interested in the Land to be benefitted by the said erection in just proportion.

Provided always, That the said Commissioners shall not be issued until the persons desirous that the said Commission shall be issued, shall have filed, in the Office of the Secretary of the Province, a Bond, with sufficient Sureties, conditioned to pay every expense whatever, either for the remuneration of the Commissioners, to be appointed under this Act, or for the performance of such works as they may direct, or for any other purpose whatever, to be incurred under this Act, and further that the said Commissioners nor any other person shall on no account have any claim or demand upon the Province for any services to be by them performed under this Act.

Security to be given for expenses

CAP. XXXIX.

An Act to continue an Act relating to the Court of Commissioners at Halifax.

(PASSED THE 14th DAY OF APRIL, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the Fourth year of His late Majesty's Reign, entitled, An Act relating to the Court of Commissioners at Halifax, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

Act 4th Geo. IV. continued

CAP. XL.

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

[PASSED THE 14th DAY OF APRIL, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Fourth and Fifth Years of His late Majesty's Reign, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; and also the Act, made and passed in the Ninth Year of His said late Majesty's Reign, to continue, alter and amend, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby severally continued, for one Year, and thence to the end of the then next Session of the General Assembly.

Acts 4th, 5th and 9th Geo. IV continued

CAP. XLI.

An Act to amend the Act to Facilitate the Establishment of Banks for Savings.

(PASSED THE 14th DAY OF APRIL, 1832.)

WHEREAS, it is expedient that the Governor, Lieutenant-Governor or Commander-in-Chief for the time being, should be authorised to nominate and appoint a Commissioner or Commissioners, to carry into effect the several provisions of the

Preamble

the Act, passed in the Seventh year of His late Majesty's Reign, entitled, An Act to facilitate the Establishment of Banks for Savings, instead of incorporating Trustees by Letters Patent under the Great Seal of the Province, as by the said Act is required,

Appointment
of Commis-
sioners to man-
age Bank of
Savings

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That, from and after the passing of this Act, upon the formation or establishment of any Bank or Institution for Savings, and for receiving the deposits of the Poor, or of the Labouring Classes, instead of Incorporating Trustees or Persons appointed to manage the affairs thereof by Letters Patent under the Great Seal of the Province, it shall be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to nominate and appoint one or more Commissioner or Commissioners to manage the affairs of the said Bank for Savings, who shall have all the same and the like powers and privileges, and authorities, and be subject to the same rules, regulations and provisions, as Trustees incorporated under and by virtue of the said Act hereby amended, or as by the said Act are given to, or vested in, the Trustees or persons to be incorporated under this Act.

Interest upon
deposits

II. *And be it further enacted,* That instead of the interest of four per cent, directed to be paid in and by the said Act, that there shall be paid the annual interest of five per cent upon all Monies so deposited, one fifth part of which shall be retained by the said Commissioner or Commissioners, for and towards the expenses incurred in and about the management of the said Savings Bank.

Provided always, That no person shall be allowed to deposit more than the sum of Fifty Pounds in any one year.

CAP. XLII.

An Act for appointing Commissioners to enquire into, and Report upon, the expediency of reforming the practice and proceedings of Courts of Law and Equity, and the revising and consolidating the Laws of the Province.

(PASSED THE 14th DAY OF APRIL, 1832.)

Preamble

WHEREAS it has become necessary to revise the Civil and Criminal Codes of this Province, and to render the practice of the Courts of Law and Equity more simple and less expensive.

Appointment
of persons to
execute Act

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, immediately after the passing of this Act, to appoint and Commission five fit and proper Persons faithfully to discharge the Duties imposed on them by this Act.

Power vested
in Commis-
sioners

II. *And be it further enacted,* That such Commissioners shall have full power to call before them at such times and places as they shall think fit, after reasonable notice, all Officers connected with the Courts of Law and Equity, and Courts of Probate, Courts of Commissioners, Courts of Marriage and Divorce and Error, in this Province, and examine them, as to the system and practice pursued in the said Courts respectively, and to require the production of all or any books, papers or documents, on file or of record, in any such Court, and in custody of, or kept by, any such Officers respectively, and shall at all times have access to such books, papers or documents, respectively.

Duty of Com-
missioners

III. *And be it further enacted,* That the said Commissioners shall, from time to time, as speedily as may be, make and return true and correct statements and reports, respecting the state of the practice and proceedings of any or either of the said Courts of Law and Equity, Courts of Probate, Court of Commissioners, Courts of Marriage and Divorce and Error, and of such alterations and amendments in the said practise and proceedings.

of the said Courts respectively, as may seem to the said Commissioners advisable and proper to simplify the said practice and proceedings, and to reduce the expense, costs and charges, attending the prosecuting and defending actions or suits, or attending any other proceeding whatsoever, in any of the said Courts respectively.

IV. *And be it further enacted,* That the said Commissioners shall also examine into and report what alterations and amendments shall seem to the said Commissioners proper or adviseable to be made in the Laws or Statutes in force or made within this Province, for the punishment of Treasons, Felonies, and other Criminal offences, and how and in what maner it may be proper and adviseable to revise, alter and consolidate, any of the Laws and Statutes of the Province.

Revision of
Laws

V. *And be it further enacted,* That all Reports and Statements, with respect to any of the matters herein before mentioned, shall be made and returned by the said Commissioners, under their Hands, to the Secretary of the Province, for the information of the Governor, Lieutenant Governor, or Commander in Chief, for the time being, and the Legislature of the Province. *Provided always,* That the expense of executing the said Commission shall not exceed the sum of Five Hundred Pounds,

Expence of
Commission

CAP. XLIII.

An Act to continue and amend the several Acts for the regulation of the Militia,

[PASSED THE 14th DAY OF APRIL, 1832.]

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the First Year of the Reign of His late Majesty King George the Fourth, entitled, An Act to provide for the greater security of this Province by the better regulation of the Militia, and to repeal the Laws now in force, and every matter, clause and thing, therein contained, except the twenty-seventh, thirty-second, eighty-third and eighty-fourth clauses or sections of the said Act; and also, the Act, passed in the fourth year of His said Majesty's Reign, to alter and continue the said Act, and every matter, clause and thing, therein contained, except the seventh clause or section of the said last mentioned Act; and also, the Act, passed in the seventh year of His said Majesty's Reign, in alteration and continuation of the said Acts, and every matter, clause and thing, contained in the said last mentioned Act, except the second clause or section thereof; and also, the Act, passed in the ninth year of His said Majesty's Reign, to alter, continue and amend, the said several Acts, and every matter, clause and thing, therein contained; and also, the Act, passed in the tenth year of His said Majesty's Reign, to continue and amend the said several Acts, and every matter, clause and thing, therein contained, shall be continued, and the said several Acts, except as before excepted, are hereby severally and respectively continued for one year, and from thence to the end of the then next Session of the General Assembly.

Militia Acts
continued

II. *Provided always, and be it further enacted,* That it shall and may be lawful to and for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, if he shall think proper so to do, by any order or orders by him issued for that purpose, to dispense with either one or more of the Militia Meetings or Musters now required by Law for training.

One or more
meetings of
Militia may be
dispensed with

CAP. XLIV.

An Act to encourage the importation of improved Breeds of Cattle into this Province.

(PASSED THE 14th DAY OF APRIL, 1832.)

Appropriation
of £300 for im-
portation of
improved
breeds of Cat-
tle

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, for and towards encouraging and facilitating the introduction and increase of improved Breeds of Neat Cattle within this Province, and for other the purposes in this Act contained, there shall be appropriated, granted and paid, from the Treasury of the Province, in each and every year, during the Term of three years, to commence from the Publication hereof, the sum of Three Hundred Pounds Currency, to be drawn for by Warrants under the Hand and Seal of the Lieutenant-Governor or Commander in Chief for the time being, and to be paid, applied and distributed, in equal proportions amongst the several Counties and Districts of this Province, to such persons and for such purposes as hereinafter expressed.

Contribution
in aid of ob-
ject

II. And be it further enacted That when and so often as the Inhabitants of any Township of this Province, represented in General Assembly, or of any Settlement near or adjacent to such Township, shall agree together to procure and bring into this Province one Bull and one Cow, of the superior or improved breeds of British or Irish Neat Cattle, and to keep and maintain the same for the improvement of the Stock of Cattle within the said Township or Settlement, and shall have actually raised, by private Subscription or otherwise, a sum of money sufficient to pay and defray one moiety of the Costs, Charges and Expenses, of purchasing such Bull and Cow, of superior and improved breed, and importing and bringing the same into such Township or Settlement, and shall have actually paid the Monies so raised into the hands of any two Justices of the Peace, nominated by such Inhabitants of the Township or Settlement, and approved by the Custos Rotulorum of the County or District in which the same is situate for the purposes aforesaid, and such payment shall have been Certified by such Justices to the Treasurer of the Province, to be actually made to them, they the said Inhabitants shall be entitled to have and receive, out of the annual sum hereby provided, a sum equivalent to the other moiety or half part of the expense of such purchase and importation, *Provided always*, that no greater sum than Twenty-five Pounds shall be allowed towards any one of such purchases or importations out of the said Grant.

Proviso

Provincial al-
lowance when
to be drawn

III. And be it further enacted, That upon the production, by such two Justices of the Peace, of a Certificate signed by the Custos Rotulorum of the County or District wherein the Township or Settlement for which such Bull and Cow shall be procured is situate, certifying that these Cattle have actually been brought into the same, and that satisfactory proof has been made to such Justices that the said Cattle are of superior and improved British or Irish Breeds, and were purchased in the Country mentioned in such Certificate, and have actually cost the sum specified in such Certificate, for the first purchase and charges of importation, it shall be lawful to and for the said two Justices of the Peace to receive a warrant on the Treasury for the amount of one moiety of the said cost and charges so certified; and they shall forthwith pay and apply the same with the Monies so as aforesaid deposited in their hands, towards and in discharge of the whole expense of the said purchase and importation.

Agent to pre-
cure improved
breeds

IV. And be it further enacted, That the said two Justices of the Peace, so soon as the monies raised as aforesaid, are deposited in their hands, shall, and they are hereby required to, appoint some proper Agent or Agents to procure, purchase and bring, the said Cattle into this Province, and to convey the same to the Township or Settlement for which they are designed.

Cattle where
to be purchas-
ed

V. And be it further enacted, That the said Cattle shall and may be purchased and provided in Great-Britain, or Ireland, or in any part of Europe, as the Inhabitants of the Township or Settlement requiring the same shall determine.

VI. *And be it further enacted*, That after the importation of any such Cattle into any Township or Settlement, the same shall be managed, used and applied, for and towards the improvement of the breed of Neat Cattle within the same, and be supported and taken care of by such persons, and under such regulations, as the said two Justices of the Peace, by the written request of the majority of the Inhabitants subscribing and paying towards such purchase, shall require or direct for the common and general benefit of all the Inhabitants of such Township or Settlement, and at the expense of such Subscribers.

Management
of Cattle

VII. *And be it further enacted*, That the payments from the Treasury, towards the purchase of such Cattle, shall be made in the order in which the certificates of the raising and payment of the subscriptions shall be received at the Treasury.

Payments from
Treasury made
in order

VIII. *And be it further enacted*, That, after the expiration of five years from the bringing any such Bull and Cow into any such Township and Settlement, the same shall and may, at the request of the majority of the original Subscribers, or the survivors of them, be sold and disposed of in such manner as the said two Justices shall direct, and the proceeds of such Sale, after defraying all charges in respect of such Cattle, shall and may be applied for and towards any further purchase and importation of such superior Cattle, or of Sheep of an improved or superior breed, or for and towards any other general and useful purpose for the common benefit and promotion of Agriculture or of Education, within such Township or Settlement, as the majority of the original Subscribers or the Survivors, with the approbation of the said Custos Rotulorum of the County or District, shall agree and determine.

Cattle may be
sold—proceeds
how appropri-
ated

IX. *Provided always, and be it further enacted*, That nothing herein before contained shall be construed to authorize the Inhabitants of any one County or District to obtain a greater sum than Fifty Pounds in any one year from the Treasury of this Province.

Bounty limited

CAP. XLV.

An Act to continue the several Acts concerning the Bridewell and Police in Halifax, and to alter and amend the same.

(PASSED THE 14th DAY OF APRIL, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Fifty-fifth year of the Reign of His late Majesty King George the Third, entitled, An Act for Establishing a Bridewell or House of Correction for the County of Halifax, and for the better and more effectual administration of the Office of Justice of the Peace in the Township of Halifax, and for providing a Police Office in said Town, with proper Officers to attend the same, and every matter, clause and thing, therein contained, (save and except the tenth Section of said Act); and also, an Act, passed in the Tenth year of His late Majesty's Reign, entitled, An Act to amend and continue the Act concerning the Bridewell and Police in Halifax, and every matter, clause and thing, therein contained, (save and except the fourth Section of the said last mentioned Act); and also, an Act, passed in the Eleventh year of His said late Majesty's Reign, entitled, An Act to amend and continue the Act concerning the Bridewell and Police in Halifax, and every matter, clause and thing, therein contained, shall be continued, and the said Acts are hereby respectively continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Acts 56th Geo.
III. and 10th
Geo. IV. (with
exceptions) and
11th Geo. IV.
continued

II. *And be it further enacted*, That the Justices in Sessions, in Halifax, shall have power and authority, and they are hereby required, to make and establish Rules and Regulations to prevent Cows and Neat Cattle of every kind from running at large in the Streets of Halifax, to the great obstruction and annoyance of the Inhabitants, and occasioning nuisances in the Streets; and it is hereby declared to be the especial duty of the Police Justices, in Halifax, to enforce such Rules and Regulations, and they shall have full power and authority to punish any offence against such Rules and Regulations as by the said Justices in Sessions shall be prescribed.

Cows, &c. run-
ning at large in
Halifax

CAP. XLVI.

An Act to extend the Acts concerning Firewards to the Town of Chester.

(PASSED THE 14th DAY OF APRIL, 1832.)

Acts extended
to Chester

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, made and passed in the second year of His late Majesty's Reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire; and also, all the several Acts since made, in addition to, or amendment of, the said Act, and now in force, and every matter, clause and thing, in the said Acts contained, shall be extended, and the same are hereby extended, to the Town of Chester.

CAP. XLVII.

An Act for the relief of Daniel Hoard, a Prisoner confined in Gaol for Debt.

(PASSED THE 30th DAY OF MARCH, 1832.)

Preamble

WHEREAS, Daniel Hoard, an unfortunate Debtor, is detained in the County Gaol in Halifax, for Debts due by him:

And whereas, the said Daniel Hoard has assigned all his Estate and Effects in trust, for the benefit of all his Creditors, and his continued detention in Gaol is likely to be very injurious to the interest of his Creditors generally, by preventing his personal attention to the recovery of the said assigned Estate.

Daniel Hoard
to be discharged
—his property
liable for his
Debt—

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That,* upon the passing hereof, the said Daniel Hoard shall be set at large from confinement, provided that nothing herein contained shall be construed to discharge any Property or Estate of the said Daniel Hoard, now or hereafter to be acquired, from any remedy which now can, or hereafter might, be had against such property, if this Act had not passed.

Daniel Hoard
protected
against future
arrest for Debts
contracted prior
to this Act

II. *And be it further enacted,* That in case the said Daniel Hoard shall hereafter be charged in execution for any Debt now contracted by him, he shall be entitled to his discharge upon complying with the terms and conditions mentioned in the several Acts for the relief of Insolvent Debtors, notwithstanding the Creditor or Creditors may agree to provide him with bread, any law, usage or custom, to the contrary notwithstanding; and the Judges or Justices before whom the said Daniel Hoard may be brought for his discharge, are hereby empowered and directed to take judicial notice of this Act, and to govern themselves thereby.

Proviso

III. *Provided always, and be it further enacted,* That if the Creditor or Creditors, at whose Suit the said Daniel Hoard shall or may be now confined in Goal, and shall be hereby discharged, shall make it appear to the satisfaction of the Court, wherein such Creditor or Creditors may have obtained Judgement, or may have taken proceedings at Law, against the said Daniel Hoard, that the said Daniel Hoard hath not assigned all his property and effects for the benefit of his Creditors, it shall and may be lawful for the said Court to permit and allow the said Creditor or Creditors again to arrest and take the body of the said Daniel Hoard in Execution, any thing herein before contained to the contrary notwithstanding.

CAP. XLVIII.

An Act concerning Malicious Injuries to Property.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That if any person shall hereafter wilfully and maliciously destroy, or commit any damage, injury or spoil, to or upon any Real or Personal Property whatsoever, either of a public or private nature, for which no remedy or punishment (other than a Civil Suit or Action) is provided, or can be inflicted, by the Laws or Statutes of this Province, or in force therein, every such person shall be guilty of a Misdemeanor, and being duly convicted thereof in His Majesty's Supreme Court, or before any General or Quarter Sessions of the Peace, shall forfeit and pay such fine or penalty not exceeding Twenty Pounds, or shall suffer such punishment by imprisonment in the County Jail or Bridewell, or House of Correction, at Halifax, for such space of time, not exceeding two years, or by fine and imprisonment as aforesaid, as such Court in their discretion shall adjudge.

II. *And be it further enacted*, That all fines to be levied and received under and by virtue of this Act shall in case of injury to private property be respectively paid to the party aggrieved (if known) except where such party shall have been examined in proof of the offence, and in such case, or where any Public right or property is concerned, such fines shall respectively be paid to His Majesty, His Heirs and Successors.

III. *Provided always, and be it further enacted*, That nothing herein contained shall extend to any case where the party trespassing acted under a fair and reasonable supposition that he had a right to do the act complained of, nor to any Trespass not being wilful and malicious, but every such Trespass shall be punishable in the same manner as before the passing of this Act.

IV. *And be it further enacted*, That every person who shall aid, abet, counsel or procure, the commission of any offence punishable under this Act, shall be liable to be indicted and punished as a principal offender.

V. *And be it further enacted*, That every punishment by this Act to be imposed or inflicted upon any person maliciously committing any offence, shall equally apply and be enforced, whether the offence shall be committed from malice conceived against the owner of the property in respect of which it shall be committed, or otherwise.

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

Injuries to Real or personal Property, how prosecuted

Fines

Certain Trespasses exempted from this Act

Persons aiding or abetting

Offences whether from malice or otherwise

Continuation Act

CAP. XLIX.

An Act to Preserve the Harbour of Cape Forchu, in Yarmouth.

(PASSED THE 30th DAY OF MARCH, 1832.)

WHEREAS, it is found necessary for the preservation of the Harbour of Cape Forchu, in Yarmouth, to prevent Stones or Ballast being taken away from the Bar or Beach commonly called the Fish Point, on the Western side of the said Harbour :

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the Publication hereof no Stones or Ballast shall be taken away from the Bar or Beach commonly called the Fish Point, on the Western side of the Harbour of Cape Forchu, and if any person or persons shall take away any Stones or Ballast from the said Bar or Beach, the person or persons convicted thereof shall forfeit and pay a

Preamble

Removal of Stones, &c. from Fish Point Cape Forchu

sum

sum not exceeding Five Pounds, nor less than Three Pounds, for each offence; to be sued for and recovered, on information or complaint, before any two of His Majesty's Justices of the Peace, for the District of Yarmouth and Argyle, one half of which penalty shall be to the use of the person or persons who shall sue for the same, and the other half to the use of the Poor of the township of Yarmouth, subject to an appeal to the Court of Common Pleas for the District of Yarmouth and Argyle, upon Security given for prosecuting the same to effect.

Continuation of
Act

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

CAP. L.

An Act to incorporate sundry Persons, by the name of "The President, Directors and Company, of the Bank of Nova-Scotia."

[PASSED THE 30th DAY OF MARCH, 1832.]

Preamble

WHEREAS the establishment of a Public Bank at Halifax will be greatly advantageous to trade and commerce, and otherwise advance the interests of the Province, by increasing the circulating medium of business, and promoting a more extensive and beneficial employment of the resources and industry of all classes of its inhabitants. *And whereas*, several Persons have associated themselves for the purpose of forming such an Institution, and have applied for an Act of Incorporation for the same.

Shareholders
united in one
body Politic
and Corporate

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That William Lawson, Andrew Belcher, John Brown, Mather Byles Almon, James William Johnston, James Tremain, John Leander Starr, James Leishman, Joseph Freeman, John Albro, James Boyle Uniacke, Charles Roche, James Kerby, Alexander Murison, William Strachan, George Innes, William Macara, and all and every such other person or persons as shall from time to time become Proprietors of Shares in the said Corporation hereby established, and their successors, executors, administrators and assigns, shall be, and they are hereby, united into a Company, and declared to be one Body Politic and Corporate, by the name of "The President, Directors and Company, of the Bank of Nova-Scotia," and by that name shall have succession and a common Seal, and by that name shall and may sue, and be sued, plead and be impleaded, at law or in equity, and be able and capable in law to have, hold, purchase, get, receive, take, possess and enjoy, houses, lands, tenements, hereditaments and rents, in fee simple or otherwise, and also goods and chattles, and all other things, real personal or mixt, and also to give, grant, sell, let, assign or convey, the same or any part thereof, and to do and execute all other things in and about the same, as shall and may be thought necessary or proper for the benefit and advantage of the said Corporation. And also, that they, the said President, Directors and Company, shall, from time to time and at all times, during the continuance of this Act, and of the said Corporation, have full power, authority and license, to constitute, make and establish, such Bye-Laws and Ordinances, as may be thought necessary for the rule and good government of the said Corporation. *Provided*, such Bye-Laws and Ordinances be not contradictory or repugnant to the Laws and statutes of the Province, or of those in force within the same.

Their powers

Stock of Corporation

II. *And be it further enacted*, That the Capital or Joint Stock of the said Corporation shall consist of gold and silver Coins, or Provincial Treasury Notes, to the amount, in the first instance, and at the commencement of the said Corporation, of One Hundred Thousand Pounds, to be divided into Two Thousand Shares of Fifty Pounds each, and that fifty per cent. or one half part of the Stock which shall be subscribed for, shall be paid on or before the first day of June next, and that the remaining half part of such Stock so subscribed shall be paid at such time or times, after the said first payment, as shall

shall be agreed on and appointed by the Directors of the said Bank for that purpose, forty days previous notice being first given in the Gazette, and at least two other newspapers published in Halifax, of the time and place appointed for the payment of such second or future instalments. *Provided*. That no second or other instalment shall be required to be paid until at least forty days after the payment of the said first instalment of Fifty per cent. *Provided also*. That if the whole Capital or Joint stock of One Hundred Thousand Pounds, shall not be subscribed for before the said first day of June next, that it shall and may be lawful for the Shareholders of the said Bank, in any Bye-law, passed under the authority of this Act, for the time being, to make such orders, rules and regulations, for the payment of any Stock which shall be subscribed for after that period, or for any part thereof, or instalment thereon, and also, all other rules, orders and regulations, respecting the Shareholders subscribing after the said first day of June next, as shall be just, reasonable and proper, for putting such Shareholders, so subsequently subscribing, on a fair and equal footing with the Shareholders who shall have subscribed for any Stock before the said first day of June next.

III. *And be it further enacted*, That if any Shareholder shall neglect or refuse to pay all or any part of the share or shares subscribed by him and payable as herein directed, it shall and may be lawful for the Directors of the said Bank, for the time being, forthwith, after such neglect or refusal, to sell and dispose of the share or shares, in the payment of which such default shall be made, to the best advantage; and the said Directors shall thereupon, out of the monies arising from the sale thereof, pay over to such Shareholder the amount actually paid in by him on such share or shares, deducting first therefrom ten per cent. on the amount of his said share or shares to be retained by the said Bank, in lieu of all expenses incurred by such default. *Provided always*, That if any loss shall arise on the sale of such share or shares no greater sum shall be paid to the said Shareholder than that at which such share or shares shall be so sold, deducting first therefrom ten per cent. as aforesaid.

Neglect or refusal of Shareholders to pay in amount of their Shares

IV. *And be it further enacted*, That, whenever the business of the said Bank shall be thought to require a further and additional amount of its Capital or Joint Stock, it shall and may be lawful for the said shareholders, at any general or special meeting to be called for that purpose, and of which due notice of not less than thirty days shall be first given in at least the Royal Gazette, and two other newspapers, published in the Town of Halifax, to increase the said Capital or Joint Stock of the said Bank, by the further sum of One Hundred Thousand Pounds, making the said Capital or Joint Stock in the whole with such addition of the amount of Two Hundred Thousand Pounds and no more; and which said additional Capital or Joint Stock may be made and added, either in one gross amount and at one time, or at two or more distinct and separate times and periods, and in such amounts severally as shall be resolved and agreed upon at any separate and distinct meetings of the Shareholders as aforesaid, and all which said additional Capital or Joint Stock shall also be divided into shares of Fifty Pounds each, and paid in gold or silver Coins, or Provincial Treasury Notes.

Stock may be increased

V. *And be it further enacted*, That all the said additional shares, to be so made and added to the said Capital or Joint Stock of the said Bank, shall be sold and disposed of at Public Auction, to the highest bidder and bidders, at such time or times, place or places, and on such terms, as the Directors of the said Bank for the time being shall appoint and direct, and of which said sale or sales, and of the said time and place thereof, public notice shall be first given in at least the Gazette and two other Newspapers published in the Town of Halifax, for at least thirty days previous to such sales, and that the said shares shall not be sold in lots of more than five shares each.

Additional Shares to be sold at Auction

VI. *And be it further enacted*, That the said additional shares, together with any advance or premium at which they may be respectively sold, shall be paid into the said Bank, within thirty days next after such sale, and the whole amount of such advance or premium, if any, first deducting thereout the charges of such sale, shall be divided in equal proportion to and among all the shares in the Capital or Joint Stock of the said Bank, as well the additional as the original shares, and such dividend of the said advance or premium, if any, shall be declared and paid by the said Directors at the next semi-annual

Time of payment of additional Shares

annual dividend, after the payment into the said Bank of the purchase money of the said additional shares.

Default of pay-
ment of addi-
tional Shares

VII. *And be it further enacted*, That in case of default of payment of any of the said shares, and the advance or premium at which they may have been sold, within the said time so fixed for the payment thereof, it shall and may be lawful for the Directors of the said Bank, for the time being, forthwith to sell and dispose of the said shares, in the payment of which default shall be so made, at their discretion, to the best advantage, and payment thereof shall be immediately made, and any advance or premium thereon shall be divided in the manner before mentioned.

Corporation
may hold
Land, &c.

VIII. *And be it further enacted*, That the said Corporation shall have full power and authority to take, receive, hold, possess and enjoy, in fee simple, any lands, tenements, and real estates, to any amount not exceeding Five Thousand Pounds. *Provided*, nevertheless, that nothing herein contained shall prevent or restrain the said Corporation from taking or holding real estate to any amount whatsoever under Judgment or by Mortgage recovered or taken as collateral security for the payment of any sum or sums of money advanced by, or for debts due to, the said Corporation. *Provided further*, That the said Corporation shall on no account lend money upon mortgage upon lands or other fixed property, nor upon the security of any stock in the Bank, unless by way of additional security for debts contracted with the said Corporation in the course of its dealings.

Proviso

Organization of
Bank

IX. *And be it further enacted*, That, after the passing of this Act, whenever one thousand shares shall have been subscribed of the said Capital Stock, and ten per cent. on the amount of such subscription have been paid in, before which no one shall have a right to vote for any purpose, a general meeting of the Members and Stockholders of the said Corporation, or the major part of them, shall take place by notice in one or more of the public Newspapers, ten days previous to such meeting for the purpose of organizing the said Bank, and of making, ordaining and establishing, such Bye-laws, Ordinances and Regulations, for the good management of the affairs of the said Corporation, as the Members and Stockholders of the said Corporation shall deem necessary; and also for the purpose of choosing thirteen Directors, being Stockholders and Members of the said Corporation, under and in pursuance of the rules and regulations herein after made and provided; which Directors so chosen shall choose out of their number a President, and shall serve until the first annual meeting for choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations of the said Bank; subject, nevertheless, to the rules and regulations hereinafter made and provided; at which general meeting the Members and Stockholders of the said Corporation, or the major part of them, shall determine the mode of transferring and disposing of the Stock and profits thereof, which being entered on the books of the said Corporation, shall be binding upon the said Stockholders, their successors and assigns, until altered at any other general meeting of the said Stockholders.

Choice of Di-
rectors and
President

Annual Meet-
ing of Share-
holders for
choice of Di-
rectors

X. *And be it further enacted*, That there shall be a general meeting of the Stockholders and Members of the said Corporation, to be annually holden on the first Wednesday in March, in each and every year, at Halifax; at which annual meeting there shall be chosen by a majority of the said Stockholders and Members of the said Corporation thirteen Directors, who shall annually choose one out of their number as President, and which President and Directors shall continue in office for one year, or until others are chosen in their room; in the choice of which Directors, the Stockholders and Members of the said Corporation shall vote according to the rule hereinafter mentioned. *Provided always*, That seven of the Directors in office shall be re-elected at such annual meeting for the next succeeding twelve months, of which the then President shall always be one.

Proviso

Appointment
of Officers,
Clerks, &c. of
Bank

XI. *And be it further enacted*, That the Directors for the time being shall have power to appoint such officers, clerks and servants, as they or the major part of them shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services as to the Directors shall appear reasonable and proper; all which, together with the expences of buildings, house rent, and all other

other contingencies, shall be defrayed out of the funds of the Corporation; and the said Directors shall likewise exercise such other powers and authorities for the well-regulating the affairs of the said Corporation as shall be prescribed by the Bye-laws and regulations of the same.

XII. *And be it further enacted,* That not less than seven Directors shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in case of sickness, or necessary temporary absence, in which case the Directors present may choose one of their Board as chairman in his stead—that the President or such Chairman shall vote at the Board as a Director, and in case of their being an equal number of votes for and against any question before them, the President or Chairman shall also have a casting vote.

Seven Directors constitute a Board

XIII. *And be it further enacted,* That no Director shall be entitled to any salary or emolument for his services; but that the Stockholders and Members of the said Corporation may make such compensation to the President as to them shall appear reasonable and proper.

President may be compensated for services

XIV. *And be it further enacted,* That no person shall be eligible as, or continue to be, a Director, unless such person is a Stockholder, and holding and owning not less than twenty shares of the Capital Stock of the said Corporation; and that no person shall be eligible as, or continue to be, a Director of the said Corporation, who is a partner or member of, or a Director in, any other Bank within this Province, or a Director of any other Bank whatsoever. And if any Director of the said Corporation shall, while he is in office, cease to hold twenty shares in the said Stock, or shall become a partner or member of, or Director in, any other Bank in this Province, or a Director in any other Bank whatsoever, such Director of the said Corporation shall forthwith go out of office and cease to be a Director, and another Director shall be chosen in his stead as hereinafter directed.

Holders of Twenty Share, eligible as Directors

XV. *And be it further enacted,* That every Cashier and Clerk of the said Corporation, before he enters upon the duties of his office, shall give bonds, with two or more Sureties, to be approved of by the said Directors, that is to say, every Cashier in a sum not less than Ten Thousand Pounds, with a condition for his good and faithful behaviour, and every Clerk, with the like condition and Sureties, in such sum as the Directors shall deem adequate to the trust reposed in him.

Cashier and Clerks to give Bonds

XVI. *And be it further enacted,* That the number of votes which each Stockholder shall be entitled to on every occasion, when in conformity to the provisions of this Act the votes of the Stockholders are to be given, shall be in the following proportion, that is to say;—for one share and not more than two, one vote; for every two shares above two and not exceeding twelve, one vote, making six votes for twelve shares; for every three shares above twelve, and not exceeding thirty, one vote, making twelve votes for thirty shares; and for every five shares above thirty shares one vote. *Provided,* That the number of fifteen votes shall be the greatest that any Stockholder shall be entitled to have.

Votes of Stockholders

XVII. *And be it further enacted,* That all Stockholders resident within this Province or elsewhere, may vote by proxy, provided that such proxy be a Stockholder, and do produce sufficient written authority from his constituent or constituents so to act. *Provided also,* That no person shall hold more than three proxies.

Proxies

XVIII. *And be it further enacted,* That no member of said Corporation during one month, to be accounted from and after the passing of this Act, shall be entitled to hold or subscribe for more than twenty shares of the said Capital Stock; that if the whole of the said Capital Stock shall not have been subscribed within one month, so to be accounted as aforesaid, that then and in such case it shall be lawful for any Stockholders to increase his; her or their, subscription to such amount as they shall think proper.

Shares not taken in one month

XIX. *And be it further enacted,* That the Directors be, and they are hereby, authorised to fill up any vacancy that shall be occasioned in the office of President, or in the Board of Directors, by the death, removal, resignation, or absence from the Province for three months, or any incapacity of the said President, or any of its Members, and the person.

Vacancies in Direction

person so chosen by the said Directors shall serve until the next succeeding annual Meeting of the Stockholders.

Shares considered personal property

XX. *And be it further enacted,* That, notwithstanding any real estate which the said Corporation may at any time own or possess, the Shares and Interest of the Stockholders of and in the stock, funds, property and estate, of the said Corporation shall be, and shall be held, deemed and taken, to be personal property to all intents and purposes whatsoever.

When Bank may commence business

XXI. *And be it further enacted,* That as soon as the sum of fifty thousand pounds shall have been actually paid in on account of the subscriptions to the said Stock, notice thereof shall be given in the Royal Gazette, and two other newspapers, published in Halifax, and the Directors may commence with the operations and business of the Bank of the said Corporation.—*Provided always,* That no Bank Bills or Bank Notes shall be issued or put in circulation, nor any Bill or Note discounted at the said Bank, until the said sum of fifty thousand pounds shall be actually paid in and received, on account of the subscriptions to the Capital Stock of the said Bank.

Shares transferable

XXII. *And be it further enacted,* That the Shares or Capital Stock shall be assignable and transferable according to the rules and regulations that may be established in that behalf, but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book, to be kept by the Directors for that purpose, nor until such person or persons, so making the same, shall previously discharge all debts actually due and payable to the said Corporation—that in no case shall any fractional part of a share, or other than a complete share or shares, be assignable or transferable—that whenever any Stockholder shall transfer, in manner aforesaid, all his Stock or Shares in the said Bank, or the same shall be transferred by act of Law, to any person or persons whatever, such Stockholder shall cease to be a member of the said Corporation.

Dealings of Corporation

XXIII. *And be it further enacted,* That the said Corporation may conduct the Business of Banking in all its branches, except as is or may be otherwise prohibited by this Act, and may lend money on cash accounts with personal security only, and may generally deal in Bills of Exchange, Promissory Notes, gold or silver coin, or bullion, or in other the current monies of this Province, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or in the sale of Stock pledged for money lent, and not so redeemed; which said goods and stock so pledged, shall be sold by the said Corporation at public sale, at any time not less than thirty days after the period for redemption; and if upon such sale of goods or stock there shall be a surplus, after deducting the money lent, and interest, together with the expenses of sale, such surplus shall be paid to the Proprietors thereof respectively.

Joint Stock liable to Debts of Corporation

XXIV. *And be it further enacted,* That the joint stock or property of the said Corporation shall alone be responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation shall, on any pretence whatsoever, have recourse against the separate property of any present or future member of the said Corporation, or against their persons, except in the cases specified in this Act, further than may be necessary to secure the faithful application of the funds of the said Corporation.

Loss by mismanagement of Directors

XXV. *And be it further enacted,* That in case any loss or deficiency of the Capital Stock of the said Corporation shall occur from the official mismanagement of the Directors of the said Bank, the persons who are Stockholders at the time of such mismanagement shall in their private and individual capacities be respectively liable to pay the same. *Provided,* however, that in no case shall any one Stockholder be liable to pay a sum not exceeding the amount of the Stock actually then held by him in addition to the stock so held by him.

Liability of Shareholders at expiration of this Act

XXVI. *And be it further enacted,* That the holders of Shares or Stock in the said Corporation when this Act shall expire or be repealed, shall be chargeable in their private and individual capacities, and shall be holden for the payment and redemption of all Bonds, Bills and Notes, which may have been issued by the said Corporation, and which

which may then remain unpaid ; but only according to and in proportion to the Share and Interest which they may respectively hold in the Capital Stock of the said Corporation at the time of such expiration or repeal.

XXVII. *And be it further enacted,* That every Bond, Bank Bill or Bank Note, or other instrument by the terms or effect of which the said Corporation may be charged or held liable for the payment of money, shall specially declare in such form as the Board of Directors shall prescribe that payment shall be made out of the joint fund of the said Corporation.

Special Declaration required on Notes of Bank

XXVIII. *And be it further enacted,* That the total amount of the debts which the said Corporation shall at any time owe, whether by Bond, Bill or Note, or other contract whatsoever, exclusive of the sum due on account of deposits, shall not exceed treble the amount of the Capital Stock actually paid in by the Stockholders ; nor shall there be due to the said Corporation at any one time, more than treble the amount of the Capital Stock paid in as aforesaid, and in case of any excess the Directors, under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities. *Provided always,* that the lands, tenements, goods and chattles, of the said Corporation, shall also be liable for such excess.

Limitation of Issue of Notes

XXIX. *And be it further enacted,* That the Directors shall make half-yearly dividends of all the profits, rents, premiums and interest, of the said Corporation, payable at such time and place as the Directors shall appoint, of which they shall give thirty days previous notice, in the Royal Gazette, and two other newspapers, published in the Town of Halifax. *Provided,* That the said Directors shall not be compelled to make or declare any dividend at an earlier period than *one year* from and after the passing of this Act, unless they shall think it expedient and advisable to make and declare a dividend at an earlier period.

Dividends to be made half-yearly

XXX. *And be it further enacted,* That the books, papers, correspondence and funds, of the said Corporation, shall at all times be subject to the inspection of the Directors, but no Stockholder, not a Director, shall inspect any books or the account of any individual with the said Corporation.

Books &c. of Bank liable to inspection

XXXI. *And be it further enacted,* That all the Bills or Notes, issued by the said Corporation, shall be signed by the President for the time being, and countersigned and attested by the Cashier, and shall be printed and made in stereotype plates, and all Bills or Notes, so signed and countersigned, shall be binding on the said Corporation, although not under their seal, which Bills or Notes shall be payable by the said Corporation in gold or silver on demand, *provided always,* that nothing herein contained shall extend or to be construed to extend to authorise the said Corporation to issue or put in circulation any Bills or Notes for a less sum than twenty-six shillings.

Notes by whom to be signed

XXXII. *And be it further enacted,* That in case the officers of the said Corporation in the usual Banking hours at the said Bank shall refuse or delay payment in gold or silver of any Note or Bill of the said Corporation there presented for payment, the said Corporation shall be subject to pay on the amount of such Note or Bill to the holder thereof, twelve per cent interest per annum from the day of such refusal to the time of payment.

Refusing to pay Notes in Gold or Silver

XXXIII. *And be it further enacted,* That the said Corporation shall be liable to pay to any *bona fide* holder, the original amount of any Note of the said Bank which shall have been counterfeited or altered in course of its circulation to a larger amount, notwithstanding such alteration.

Counterfeiting of Notes

XXXIV. *And be it further enacted,* That the said Bank shall be kept and established at Halifax aforesaid, or at such other place as the Board of Directors may think it necessary to remove the said Bank to, on account of any great emergency, for the security thereof.

Bank to be kept in Halifax, but may be removed

XXXV. *And be it further enacted,* That the Directors shall, at the General Meeting, to be held on the first Wednesday in March, in every year, lay before the Stockholders, for their information, an exact and particular statement of the amount of debts due to and by the said Corporation, the amount of Bank Notes then in circulation, the amount

Statement of concerns of Bank to be submitted at Annual Meeting

amount of gold and silver, and also of Provincial Treasury Notes, on hand, specifying the amount of each, and the amount of such debts as are, in their opinion, bad or doubtful; also the surplus or profit, if any remaining after deduction of losses and provisions for dividends, which statement shall be signed by the Directors, and attested by the Cashier, and a duplicate statement, so signed and attested, shall be transmitted to the Secretary of the Province, for the information of His Excellency the Lieutenant-Governor or Commander in Chief for the time being. *Provided always*, that the rendering of such statement shall not extend to give any right to the Stockholders, not being Directors, to inspect the account of any individual or individuals with the said Corporation.

XXXVI. *And be it further enacted*, That any person or persons nominated and appointed by the Lieutenant-Governor or Commander in Chief, for the time being, or any Joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly, for the purpose of examining into the proceedings of the said Corporation, shall at any time, either during the Session or Prorogation of the General Assembly, have free access to all the Books and Vaults of the same. *Provided*, That no person shall have such access who is a Member or Partner in, or Director of, any other Bank in the Province, or a Director of any other Bank whatsoever, and that such person or Committee shall not be authorised to inspect or investigate the accounts of any individual or individuals with the said Corporation; *And provided further*, that no person shall be on the said Joint Committee who is a Member in, or Director of, the said Corporation.

XXXVII. *And be it further enacted*, That if upon such examination or upon the exhibition of the yearly account of the debts due to and from the said Corporation, and of the property and effects thereof, it shall appear to the satisfaction of the Legislature of this Province, if then in Session, or to the Lieutenant-Governor, if the Legislature be not in Session, that the Capital of the said Corporation has been diminished by losses and bad debts to one half of the amount of the capital or sum subscribed, that then the said Corporation shall be dissolved, if the Legislature be in Session, by an Act of the Legislature of this Province, to be forthwith passed for that purpose, or, if the Legislature be not in Session, by Proclamation to be forthwith issued by the Lieutenant-Governor of this Province for that purpose.

XXXVIII. *And be it further enacted*, That any number of the Stockholders, not less than fifty, who, together, shall be Proprietors of five hundred shares, shall have power at any time, by themselves or their proxies, to call a general meeting of the Stockholders, for purposes relating to the business of the said Corporation, giving at least thirty days previous notice in the Royal Gazette and two other newspapers, printed and published in Halifax, and specifying in such notice the time and place of such meeting, with the objects thereof, and the Directors, or any seven of them, shall have the like power at any time, upon observing the like formalities, to call a general meeting as aforesaid.

XXXIX. *And be it further enacted*, That on any dissolution of the said Corporation immediate and effectual measures shall be taken by the Directors then in office, for closing all the concerns of the said Corporation, and for dividing the Capital and Profits which may remain, among the Stockholders, in proportion to their respective interests. *Provided always*, That notwithstanding such dissolution, it shall and may be lawful to use the said corporate name, style and capacity, for the purpose of suits, for the final settlement and liquidation of the affairs and accounts of the said Corporation, and for the sale and disposition of the Estate, real, personal and mixed, thereto belonging; but not for any other purpose or in any other manner whatsoever nor for a period exceeding four years after such dissolution; and that the Directors in office at the happening thereof, shall during the said four years if necessary continue in Office, and shall be charged with, and shall take effectual measures for, closing the concerns of the Corporation, and dividing the remaining Capital and Profits among the Stockholders, according to their respective interests therein.

Bank Concerns
may be investigated by order of Governor, &c.

Capital of Corporation if diminished to one half

Fifty Shareholders or Seven Directors may call General Meetings

Dissolution of Corporation

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

Act continued
Fifteen years

CAP. LI.

An Act for the registry of Judgments and Attachments and confirming Titles to Lands.

(PASSED THE 30th DAY OF MARCH, 1832.)

WHEREAS it is expedient that all Judgments and Attachments, intended to bind or affect Real Estate within this Province, should be registered, to the end that purchasers may have notice thereof.

Preamble

I. *BE it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That henceforth, whenever the party or parties by whom any Judgment of any Court of Record in this Province hath been or hereafter may be obtained or recovered, shall desire to render such Judgment chargeable and binding upon any the Lands, Hereditaments, or Chattles Real, whatsoever, of the Defendant or Defendants or any of them, against whom such Judgment is or may be entered, or shall desire or intend to levy any execution of and upon such Judgment on, and to levy and take in execution any such Lands, Hereditaments or Chattles Real, or the rents, issues and profits, thereof, then and in every such case the said Judgment shall be first registered in the Office of the Registrar of Deeds, for the County or District, wherein the Lands, Hereditaments or Chattles Real, do lie, which it is intended to charge and bind by the said Judgment, or which, or the rents, issues and profits, whereof it is intended to seize, and take in Execution as aforesaid.

Judgments to
be rendered
binding on
Lands must be
registered

II. *And be it further enacted,* That, in order to the Registration of any such Judgment as aforesaid, a Copy of the Docket of such Judgment shall be produced and exhibited to the Registrar of Deeds for the County or District wherein all or any the Lands, Hereditaments and Real Estate, intended to be charged or bound by the said Judgment, or which, or whereof, the rents, issues and profits, are intended to be taken in Execution as aforesaid do lie; and such Copy of the said Docket shall express and contain the names of the Parties, Plaintiffs and Defendants, the sums recovered and the time of the signing of such Judgment, and shall be certified as and for a True Copy of the original Docket of such Judgment, by a Certificate signed by the Prothonotary or Clerk of the Court wherein the Judgment was recovered, and under the Seal of the said Court; and upon the production of such certified Copy of the original Docket, the said Registrar shall mark thereon the day and precise time thereof on which the same was presented to him for Registry, and shall enter and Register the said Copy in the Book of Registry, and mark therein the time the said Copy was produced, and indorse a Certificate of the Registry on the said Copy, and deliver the same to the party, and the said Judgment shall be deemed to be registered only from the day and time when such Certified Copy was so produced for Registry as aforesaid.

Copy of Docket
of Judgment
to be handed
over to Regis-
trar

III. *And be it further enacted,* That no Judgment obtained or recovered in any Court of Record, in this Province, after the passing of this Act, shall affect or bind any Lands, Hereditaments or Chattles Real, whatsoever, or the rents, issues or profits thereof, in any County or District of this Province, but only from the time of the Registration of such Judgment in the said County or District, in the manner herein before prescribed.

Judgment to
be binding
only from time
of registration

IV. *Provided always, and be it further enacted,* That if any Judgment obtained after the passing of this Act, shall be registered as aforesaid within Ninety days from the signing of such Judgment, then the said Judgment shall charge, bind and affect, in the County or District wherein it is registered, all the Lands, Hereditaments and Chattles Real, of the Defendant or Defendants or any of them against whom such Judgment may

Proviso

may.

may be entered, and from the day and time when the Docket thereof was signed, and all such Lands, Hereditaments and Chattles Real, and the rents and profits thereof, shall be charged and chargeable with the amount of Principal Monies, Interests and Costs, payable under the said Judgment, and may be levied on, seized, and taken in Execution therefor.

V. *And be it further enacted*, That every Judgment of any Court of Record, recovered or to be recovered before the passing of this Act, and whereof Execution remains or may remain to be done, shall be and be deemed a lien upon, and shall charge and bind, the Lands, Hereditaments and Chattles Real, of the Defendant or Defendants, against whom the same has been or may be entered, and the rents and profits thereof, and the same shall be charged thereby, and may be levied upon, and taken in Execution, under the same, *Provided*, The said Judgment be registered as aforesaid, in the County or District where such Real Estate doth lie, and within or before the expiration of One Year, from the time of the signing of the original Docket of such Judgment. But if such Judgment be not so registered within One Year from the signing the same, then the said Judgment shall be a lien upon, and charge and bind, the said Lands, Hereditaments and Chattles Real, and the rents and profits thereof, only from the time when such Judgment shall be actually registered in the County or District wherein the same are situate.

VI. *Provided always, and be it further enacted*, That nothing herein before contained shall extend or be construed to extend, to defeat, affect or vary, the lien or charge upon any Lands, Hereditaments or Chattles Real, whatsoever, existing or created by any Judgment heretofore recovered, and under which any Execution hath at any time been issued and levied upon such Lands, Hereditaments and Chattles, or under which the same or any part thereof have been seized, taken in Execution or sold, for satisfaction thereof.

VII. *And be it further enacted*, That in order to the Registration of Writs of Attachment designed to be levied on Real Estate, a Copy of every such Writ, certified by the Sheriff or his Deputy, as a True Copy of the original, shall be delivered to the Registrar of Deeds for the County or District wherein the Real Estate intended to be attached doth lie, who shall mark thereon the day and hour of receiving such Copy, and enter the same in the Books of Registry; and when, and so soon, as the description and appraisement of the Real Estate attached shall be made, a Copy thereof shall be delivered by the Sheriff or his Deputy to the Registrar, and shall be also entered in the said Books, and the said Attachment shall bind the Real Estate contained in the description and appraisement, only from the delivery of the said Copy of the description of the Lands levied on, and only until Thirty days after final Judgment signed in the cause.

VIII. *And be it further enacted*, That a double Index to the Registry of every such Judgment and Attachment shall be made and kept in every such Office of Registry, and in the names both of the Plaintiffs and Defendants.

And whereas, It is expedient to remove all doubts touching the validity and effect of Judgments whereof, or of, the time of signing the Docket of the same Entries have not been made in the margin of the Roll or Record, and touching the validity and sufficiency of Executions issued after a Year from the recovery thereof, but without Process of Scire Facias for reviving the Judgment or entry of the continuances on the Roll or Record of the said Judgment:

IX. *Be it therefore enacted*, That every Judgment heretofore obtained and docketed shall be good, valid and effectual, to charge the Lands of the Defendant or Defendants against whom the same hath been recovered from the time of the signing the Docket of such Judgment, notwithstanding that the day of the month and year of the signing such Judgment, or the Docket thereof, shall not have been entered upon the Margin of the Record where the said Judgment shall have been entered.

X. *And be it further enacted*, That every Writ of Execution or Writ of Possession, at any time heretofore issued out of any Court of Record, before or after the expiration of One Year, from the signing of the Docket of the Judgment on which it hath issued, shall be, and the same is hereby declared a good, valid, and sufficient Writ and Process

Interest to be levied for

Judgments heretofore recovered

Executions under Judgments hitherto recovered

Copies of Writs of Attachment to be registered

Index to Registry

Judgments heretofore obtained made valid

Writs of Execution or Possession

of Execution to all intents and purposes whatsoever; and all proceedings of the Sheriff or other persons under the same, shall be and are hereby confirmed, notwithstanding any error or defect in suing out or executing any such Writ, or in obtaining the same without a previous Writ of Execution actually issued and returned, or continuances of the award of Execution on the Roll or Record being first entered thereon, or without Process of Scire Facias, to revive such Judgment or obtain Execution thereof, being first sued out and prosecuted with effect. *Provided always*, That the time of issuing such Execution be duly entered, and marked on the Docket of the Judgment, and the said Execution duly returned in the said Court.

Proviso

CAP. LI.

An Act to authorize the Congregation of the Meeting-House at Onslow, to raise Money from the Pews of the said Meeting-House, for the repairing and ornamenting thereof.

[PASSED THE 30th DAY OF MARCH, 1832.]

WHEREAS the Meeting-House at Onslow, in the District of Colchester, wherein the Reverend James Monroe and the Reverend John Baxter at present officiate, was originally built by a number of Persons who were mutually interested therein, and were the Owners of the Pews in such Meeting-House, many of which persons are since dead, and the property in the said Pews in such Meeting-House has now become vested in the Heirs and Families of such deceased original Proprietors. *And whereas*, the Interest of the several present Owners of the said Pews has now become so inconsiderable that great difficulties are experienced in procuring Funds to keep the said Meeting-House in repair, owing to the neglect of many of the Owners of the said Pews to pay their proportion of the necessary and unavoidable expence of repairing and ornamenting the said Meeting-House, in consequence of which the said Meeting-House is in great danger of going to decay.

Preamble

I. *BE it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That from time to time, and at any time after the Publication of this Act, whenever it shall be necessary to procure or raise any sum of Money for the repairing or ornamenting the said Meeting-House, it shall and may be lawful for the Congregation attending at such Meeting House, at any Public Meeting of such Congregation, whereof due Notice shall be given to such Congregation in said Meeting House, during the time that the said Meeting House shall be open for Divine Service, on the Sunday previous to such Meeting, to nominate and appoint by vote of the majority of the Members of the said Congregation present at such Meeting, three or more fit and proper persons to assess and apportion the sum of Money necessary and required to be raised for the purpose aforesaid, on the said Pews respectively, according to the relative size and value of such Pews, at a just and equitable rate, of which assessment and apportionment due Notice shall be publicly given by reading the same in the said Meeting House on the Sunday after the same shall be made by the said Committee, and also by putting up a True and Correct Copy of such assessment and apportionment on the door of the said Meeting House, for three successive weeks after the same shall have been made by the said Committee.

Congregation to appoint persons to assess Monies for repairs

II. *And be it further enacted*, That if after due Notice of such assessment and apportionment shall have so publicly given as aforesaid, some such person or persons, so interested in any of the said Pews, shall not come forward to pay the sum which may have been assessed by the said Committee on such Pew, within three weeks after such Notice so given as aforesaid; then and in such case it shall and may be lawful for the said Committee, after having given, on the previous Sunday, due and Public Notice of the time of letting the same, to proceed to Let at Public Sale or Auction, for Ten Years, and no longer, any Pew or Pews whereon the sum assessed shall remain unpaid,

Pews may be Let to pay assessments for ten years

for such period of time as may be sufficient to pay the rate or sum assessed on such Pew or Pews respectively.

Lessees of Pews
considered sole
owners

III. *And be it further enacted*, That the person or persons who shall or may have become the lessee or lessees of the said Pew or Pews respectively at the said Sale, shall be put into possession thereof, by the said Committee, and shall be taken and held to be the sole and exclusive Owner or Owners of the said Pew or Pews for such period of time as the same may be leased or let to the said person or persons at such Sale; and such lessee or lessees shall be liable to pay such Rent or Rents as he or they shall or may have agreed to pay for the same at the said Sale; and if the Rent or Rents aforesaid, or any part thereof, shall be behind and unpaid after the time or times which shall or may have been agreed on for payment thereof, it shall and may be lawful for the said Committee, so to be appointed as aforesaid, to sue for and recover such Rent or Rents, or such part thereof, as may so remain behind and unpaid, in the same manner as debts of the like amount may or can be ordinarily sued for and recovered.

Continuation of
Act

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

CAP. LIII.

An Act for reducing the Expenses of Suits at Law, in certain Cases.

Epina

(PASSED THE 30th DAY OF MARCH, 1832.)

Preamble

WHEREAS the Summary Trial of certain Causes has been found of great utility, and that the enlarging the sum to be tried in a summary way by the Courts of Justice may greatly contribute to the ease of His Majesty's Subjects in this Province.

Supreme and
Inferior Courts
may try causes
in a Summary
way amounting
to £50

II. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That the Justices of the Supreme Court and Inferior Courts of Common Pleas, within this Province, be, and they are hereby empowered, in all causes of Action brought before them, the sum total whereof shall not exceed Fifty Pounds, to proceed in like manner as has been accustomed in causes not exceeding Twenty Pounds, subject to the like costs as have been heretofore paid in such cases. *Provided always*, That when on examination of the witnesses, the matters of fact may appear doubtful, or that either of the parties shall desire it, the Court shall and may order a Jury to try the same.

Continuation of
Act

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

CAP. LIV.

An Act to enable the Inhabitants of Windsor to provide Monies for procuring a Fire-Engine for the said Town.

(PASSED THE 30th DAY OF MARCH, 1832.)

Justices may
assess expense
of Engine, &c.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace, in and for the County of Hants, at any General Sessions of the Peace, to be hereafter held for the said County, to appoint and assess such sum or sums of money as may be necessary and adequate for providing, procuring and purchasing, for the use and benefit of the Inhabitants of the Town of Windsor, and keeping in good, proper, and sufficient repair, a Fire-Engine, of such quality and description as may be approved of by

by the said Justices, together with such quantities of hose, fire-buckets, and other things necessarily appurtenant to the said Engine, as to the said Justices may seem proper.

II. *And be it further enacted*, That all or any monies so presented and assessed shall be assessed, levied, collected and raised, in the same manner, and by the same means, and under the same regulations, as Poor and County Rates are now by Law assessed, levied, collected and raised, in such proportions and at such times as the said Justices in Session as aforesaid shall and may from time to time limit, direct and appoint, from and upon such of the Inhabitants of the said Township of Windsor as are or may be resident within the same limits and bounds wherein the Commissioners of Streets, in and for the said Township, by Law, now have jurisdiction and authority, and shall be paid to the Fire-wards of the said Town, to be by them applied for the purposes of this Act.

Assessment
how collected

CAP. LV.

An Act to continue and amend the Act to authorise the Congregation of the Presbyterian Meeting-House at Cornwallis, to raise Money from the Pews of the said Meeting-House for the repairing and ornamenting thereof.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Eleventh year of His late Majesty's Reign, entitled, An Act to authorise the Congregation of the Presbyterian Meeting-House at Cornwallis to raise money from the Pews of the said Meeting House for the repairing and ornamenting thereof, and every matter, clause and thing, therein contained, except as the same may be hereafter altered and amended, shall be continued, and the same are hereby continued, for ten years, and from thence to the end of the then next Session of the General Assembly.

Act 11th Geo.
IV. continued

II. *And be it further enacted*, That instead of the time of two years, limited in and by the second clause or section of the said Act as the term for which the Committee therein mentioned are authorised to let the Pews at Public Auction, the said Committee shall and may be fully authorised to let the said Pews in manner mentioned in the said Act for any term not exceeding ten years.

Term for Let-
ting Pews ex-
tended.

CAP. LVI.

An Act to establish the Limits of the Town and Peninsula of Halifax.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Lands composing and comprehended within the Town and Peninsula of Halifax, shall henceforth be divided from the remaining portion of the Township of Halifax by a line of division, beginning at the head of the North West Arm, of the said Harbour so called, at the Point where the stream or brook over which the Bridge on the Main Road round the said Arm is erected, falls into the same, thence to follow the middle of the said stream to the centre of the said Bridge, thence to run in a straight course Northeastwardly to the Main Road round Bedford Basin, at the centre of the Bridge thereon erected over the stream or brook which flows into the said Basin, a short distance to the Southward of M'Dougall's or Shaw's Inn, so called, and then from the Bridge to follow the course of the stream last mentioned, down the centre thereof, to the waters of the said

Limits estab-
lished

said Basin, which said division or Boundary Line the Commissioners of Streets for Halifax shall, and are hereby empowered to, cause to be run out, measured and determined.

Designation

II. *And be it further enacted,* That all and singular the Lands and Hereditaments whatsoever, of the said Town and Peninsula, which are comprehended within the following Boundaries and description, that is to say: bounded Northwestwardly by the said division line above described; on the North, the East, and the South, by the waters of Bedford Basin and of the Harbour of Halifax; and on the West by the waters of the said North West Arm, shall hereafter be known as and designated the Town and Peninsula of Halifax.

Acts respecting
Town confined
to Limits pre-
scribed

III. *And be it further enacted,* That for all and every the objects and purposes of each and every Act of the General Assembly now in force, or hereafter to be enacted, touching or concerning the Town and Peninsula of Halifax, or the Town of Halifax, or the Inhabitants thereof respectively, or wherein the said Town, Peninsula, or Inhabitants, are or hereafter may be mentioned and referred to, the Limits and Boundaries herein before fixed and established for the Town and Peninsula of Halifax shall be deemed and taken to be, for all intents and purposes, the Limits and Boundaries of the Town and Peninsula of Halifax, mentioned and referred to in the said Acts respectively; and it shall and may be lawful to and for all and singular the Courts, Judges, Justices, or Officers, now or hereafter to be empowered to hear and determine any Suits or Actions, Cause or Causes whatsoever, or to do or perform any Acts, Deeds, or Proceedings whatsoever, within, or for the Town or Peninsula of Halifax, and to and for all and every the Commissioners of the Poor, or of the Streets and Highways, or other Commissioners, or Trustees appointed, or to be appointed for public purposes for or within the said Town or Peninsula, severally and respectively, and they, and every of them, are hereby authorized and empowered to perform and execute their several and respective Offices, Duties and Trusts, within the Limits and Boundaries herein before prescribed for the said Town and Peninsula of Halifax; and all Rates, Duties, Taxes, and Assessments, charged or chargeable, upon the Inhabitants of the Town and Peninsula of Halifax, or the Town of Halifax, shall, according to the several and respective natures thereof, be charged and chargeable, and be assessed, raised, levied, collected and paid, upon and by the persons, properties or estates, inhabiting or being within the said Limits and Boundaries hereby established for the Town and Peninsula of Halifax.

CAP. LVII.

An Act concerning the Property of the Methodist Society at Halifax.

(PASSED THE 14th DAY OF APRIL, 1832.)

Preamble

WHEREAS, a very extensive Society or Congregation of the People called Methodists, professing the doctrines taught by the late Mr. John Wesley, has long been established in Halifax, under the spiritual care of Ministers appointed at the yearly Conference of the People called Methodists, as Established by a Deed Poll of the said John Wesley, under his Hand and Seal, bearing date the 28th day of February, in the year One Thousand Seven Hundred and Eighty-four, and enrolled in His Majesty's High Court of Chancery at London; for the use and benefit of which said Society or Congregation, divers Lands have heretofore been purchased in Halifax, and conveyed to Trustees to and for the use and benefit of the said Society, of all which said Lands and Tenements a description together with the dates of, and the parties to, the respective Deeds whereby the same are conveyed, is contained in the Schedule A. to this Act annexed, as by reference thereto will at large appear.

And whereas, The said several Lands and Premises in the annexed Schedule A described

cribed, are now under the care and management of nine Persons as, Trustees of and for the said Society, that is to say, Alexander Anderson, Gentleman, Samuel Sellon, Shipwright, the Rev. Wm. Black, John Jost, Shoemaker, Hugh Bell, Brewer, Martin Gay Black, Merchant, John M'Neil, Hatter, and James Noble Shannon and John H. Anderson, both Merchants, all of Halifax. who either are the survivors of the Trustees named in the said Deeds, or have been from time to time nominated to be Trustees for the said Society ; But by reason that no conveyances of the said Lands, or of their Interest therein, have been made by the Trustees or Heirs of the Trustees who are deceased, or have left the Society, to the new Trustees, and, from other causes, the Title to the said Lands has become uncertain : and the said present Trustees cannot sell, mortgage or dispose of, the said Lands, or occupy the same for the purposes of the said Society, in so beneficial a manner as is desired ; wherefore the said Trustees have applied for such powers, authorities and remedies, as in and by this Act are provided in respect to the premises.

I. *Re it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That, from and after the passing of this Act, the said Alexander Anderson, Samuel Sellon, William Black, John Jost, Hugh Bell, Martin Gay Black, John M'Neil, James Noble Shannon and John H. Anderson, and each and every of them, so long as they respectively continue members of the said Society or Congregation of People called Methodists, as aforesaid, at Halifax, and all and every person and persons who, at any time or times hereafter, shall be chosen upon any vacancy in the said Trust, and in the manner hereafter mentioned to supply the same, shall be and be deemed to all intents and purposes whatsoever, the Trustees of and for all and singular the Estate Real or Personal of the said Society, or for the use and benefit thereof, now obtained or possessed by or belonging to the said Society, or any in Trust therefor, under the descriptions and by the Deeds in the said Schedule A, contained or referred to, or hereafter to be obtained by, or conveyed to, the said Trustees or their Successors, for the benefit and purposes of the said Society, and the said Persons and their Successors in office shall constitute and form one continuing Trust or Board of nine Members, to be called the Trustees of the Methodist Society at Halifax.

Trust establish-
ed

II. *And be it further enacted,* That the Superintendent Preacher, of the Halifax Circuit, for the time being, shall, by virtue of such Office, be entitled to preside at all Meetings of the said Board of Trustees, and sign the minutes of their proceedings, and shall have, with the several Trustees for the time being, a vote upon all questions, and in all resolutions and decisions of the said Board.

President of
Trustees

III. *And be it further enacted,* That the said Board of Trustees may at any time hereafter be reduced to any number not below Five Trustees, therein not including the Superintendent Preacher for the time being.

Board of Trustees

IV. *And be it further enacted,* That as vacancies in the said Trust shall arise by death, resignation of Office, or by any of the Trustees ceasing to be a Member of such Society, every such vacancy shall be supplied by the choice of a new Trustee, to be made by the continuing and surviving Trustees, or the major part of them, and to be entered in the minutes of the proceedings of the said Trust, to be kept in proper Books to be provided for that purpose ; and when and so often as a choice of a new Trustee shall be made, the said continuing or surviving Trustees, or the majority of them, shall make, sign and seal, an Instrument declaring such choice, and the party chosen shall also execute the same, in proof of his acceptance of the Office of Trustee ; and such Instrument shall be in the form set forth in the Schedule B to this Act annexed, and shall be registered on the oath of the subscribing witness thereto in the Books of Registry at Halifax, and upon such registry being made, the new Trustee shall become a Member of the Trust, as fully and effectually as if he were named in this Act to that Office.

Vacancies in
Trust

V. *And be it further enacted,* That, from and immediately after the passing of this Act, all and singular the Lands, Hereditaments and Premises, described in the said Schedule A to this Act annexed, and their respective appurtenances, and the rents, issues,

Property vest-
ed in Trustees
named in this
Act

issues, profits and benefits thereof, and all the estate, right, title, interest, use, trust, inheritance, property, claim and demand whatsoever, both in Law and in Equity, of the said several persons or Trustees, named in the said several Indentures in the said Schedule A mentioned, and of the survivors of any of the said persons or Trustees, and of the several or respective Heirs or Assigns of the said persons or Trustees respectively, who are since deceased, whomsoever and wheresoever. And also all Monies, Goods, Chattles and Personal Estate whatsoever, held by the Trustees in the said several Indentures named, or the survivors of them, or by the present Trustees of the said Society; and further, all Securities for Money, or other obligatory instruments, evidences or muniments, and all rights or claims belonging to or had by the said Congregation, or Society, or any Trustee thereof or therefor, shall be and become absolutely the property of the said Trustees in and by this Act appointed: and shall be and become vested in them as and for the same Estate and Interest as the Trustees named in the said Indentures, or the survivors of them, or the Heirs or Assigns of the Trustees, who have died or ceased to be Trustees, or the present Trustees of the said Society, had or have, or were, or now are entitled to have therein, and without any assignments, deeds or conveyances, whatsoever, to be made thereof; and after the death of any of the Trustees by this Act appointed, or any other vacancy occurring in the said Board of Trustees hereby established, shall vest in the succeeding Trustees for the time being, respectively, chosen to fill such vacancies in conjunction with the continuing Trustees, without any deed, conveyance or assignment, made or required to be made by the Heirs of any Trustee so dying, or by any Trustee so resigning, or by the continuing Trustees, or any of them, on any or either of the occasions aforesaid.

Conveyance of
Property to
Trustees

Trustees may
sue and be
sued

VI. *And be it further enacted*, That the surviving Trustees named in the before cited Indentures, shall and they are hereby authorised, at the request of the Board of Trustees, to release and convey all and singular the Lands in the said Indentures described unto the Trustees hereby appointed, with their appurtenances, in fee simple.

VII. *And be it further enacted*, That the said Trustees hereby appointed, and their successors, shall and are hereby authorised and empowered in their name of Office, to bring or defend, or cause to be brought or defended, any action, suit or prosecution, criminal as well as civil, in Law or Equity, touching or concerning the Lands, real or personal Estate, debts, claims, rights and property, of the said Trustees, or of the said Society at Halifax; and the same Estate and property shall, when necessary in every such proceeding, be stated to be the property of the said Trustees, by their name of Office, herein given and established, and the said Trustees, by their said name of Office, shall and may in all cases concerning the respective Lands in the Schedule A described, or other real or personal Estate, to be vested in them, debts, claims, rights and property, of the said Board of Trustees, or of the said Society whatsoever, sue and be sued, implead and be impleaded, as Trustees, by their said official designation. And no such suit, action or prosecution, shall be discontinued or abate by the death of any such Trustee, on his ceasing to be such Trustee, but shall and may be proceeded in by the Board of Trustees, for the time being, any law, usage or custom, to the contrary notwithstanding; and the Trustees for the time being shall pay or receive the like Monies, costs and expenses, as if the action or suit had been prosecuted by Individuals, and for the benefit of, or to be reimbursed from, the Trust Funds of the said Society.

Trustees may
purchase Pro-
perty

VIII. *And be it further enacted*, That it shall and may be lawful for the Trustees for the time being, appointed by or in pursuance of this Act, or the major part of them, and they are hereby empowered, in their several names, and under their designation of "The Trustees for the Society of Methodist, in Halifax," to contract for and purchase, or in any mode acquire or obtain, either in fee simple, or for any life or lives, or term or terms of years, for the benefit or purposes of the said Society, any Messuages, Lands, Tenements, Buildings or Hereditaments, whatsoever, in this Province, and to take and receive the necessary and legal Conveyances, Leases, Deeds, Assignments, or other Transfers thereof respectively, to hold for, upon, under and subject, to the uses and purposes in this Act mentioned.

IX. *And be it further enacted,* That it shall and may be lawful for the said Trustees for the time being, or the major part of them, and they are hereby authorised and empowered, to grant, sell, exchange, mortgage, lease, convey or dispose of, to such person or persons as they may think proper, and for such prices, sums, rents or terms, as shall be agreed upon, as well all or any part of the said Lands, Hereditaments and premises, described in the several Indentures or any of them in the Schedule A mentioned, as also all or any part of any other Lands and Hereditaments hereafter to be conveyed to, or held by the said Trustees for the time being, and all or any of the Personal Estate and Property of the said Trustees or Society for the time being, and to such extent and in such proportions and at such times as the Trustees for the time being shall think proper to exchange, sell, mortgage, lease, convey or dispose of the same: and every such Deed, Mortgage, Lease or Conveyance thereof, executed by the Trustees for the time being, in their name of Office aforesaid, and signed by them respectively, or by the major part of them, shall be sufficient and valid in Law to convey to the Grantee, Mortgagee, Lessee or Purchaser, or Grantees, Mortgagees, Lessees or Purchasers respectively, either in perpetuity or by way of Mortgage or of Lease for years or otherwise, as the case may be, all such Estate, Title and Interest therein, as the said Trustees or the said Society now have or are entitled to or hereafter may have, hold, or be entitled unto, into or out, any such Real Estate or Property whatsoever, (now held or hereafter to be obtained) so granted, mortgaged, leased or disposed of: or as the said Trustees for the time being, on behalf of the Society, may desire or design by such Deeds, Mortgage, Lease or Conveyance respectively, to vest in the Grantee, Mortgagee or Lessee, named therein.

Trustees may
sell or Mort-
gage Property

X. *And be it further enacted,* That all and singular the Lands, Hereditaments and Premises, which are in the annexed Schedule A described, and in the Deeds there referred to contained, or which shall or may hereafter be purchased and conveyed to the said Trustees for the use of the said Society, and every part and parcel thereof, with the several and respective appurtenances thereto belonging, and all personal Estate, Monies and Effects aforesaid, shall at all times hereafter be taken, held, possessed and enjoyed, by the Trustees for the time being, under this Act, upon special trust and confidence, and to the intent that they and the survivors of them and the Trustees for the time being, do and shall take, hold, possess, apply and dispose of, the same and every part thereof, for the use, benefit and advantage, of the said Society of Methodists at Halifax, and for the Scites of the Chapels or Meeting Houses, Dwellings of the Ministers for the time being of the said Society, Burial Places, School Houses, or other purposes whatsoever, to which it may, for the advantage, support and well being of the said Society, and the Ministers, Members or Poor thereof, be at any time or times, by the Trustees for the time being, found expedient or desirable to appropriate, apply or dispose of, the same: But subject nevertheless to such powers of Mortgaging, Leasing, Selling, conveying and disposing of the said Real and Personal Estate as are herein before vested in the said Trustees, and subject also to all such sales, Exchanges, Deeds, Mortgages, Leases or other dispositions as may be thereof made as aforesaid—and upon this further special trust and confidence, and to the intent that the said Trustees for the time being do and shall from time to time, and at all times forever, permit such persons as shall be appointed at the yearly Conference of the people called Methodists, as established by a Deed Poll of the before mentioned John Wesley, under his Hand and Seal, bearing date the twenty-eighth day of February, in the year One Thousand Seven Hundred and Eighty-four, and enrolled in His Majesty's High Court of Chancery in London, and no others (except with the consent of the Superintendent Preacher for the time being of the Halifax Circuit) to have and enjoy the free use and benefit of the present Meeting House and Chapel or of any future Meeting House or Chapel, which may be erected in lieu thereof, to the end that such persons may therein preach and expound GOD'S HOLY WORD; and upon this further trust and confidence, that the said Real and Personal Estate, and every part thereof, shall (subject as aforesaid) at all times hereafter, be held in Trust for the benefit of the several persons belonging to the Society or Congregation in Halifax, connected with,

Object of Trust
established by
this Act

orig.

and

and under the direction of, the Preachers or Ministers appointed by the said Conference for ever.

Receipts of
Trustees

XI. *And be it further enacted,* That the Receipts of the said Trustees shall be good and sufficient discharges for all monies paid to them, for, or on account of any the Trust Funds or Property aforesaid, and the party paying shall in no case be obliged to see to the application thereof, nor shall the Trustees be answerable for each other, but each of them shall be answerable for his own acts and receipts; nor shall any Trustee be in any wise answerable or liable for any loss or deficiency of the Trust Funds or Property, or profits to arise therefrom, unless the same arise from his own wilful misconduct or neglect, and each and every of the Trustees shall retain, be paid and allowed, all costs, charges, and expences, incurred in and about the Trust aforesaid.

SCHEDULE A. REFERRED TO IN THE FOREGOING ACT.

Containing a description of the Lands in Halifax, conveyed in trust for the Methodist Society, and the dates of the respective Deeds, and of the Parties thereto.

Description of
Property be-
longing to Me-
thodist Society

First.—Certain Lots of Land situate in the Town of Halifax, being Lots numbers Eleven, twelve, and part of number Six, in the division Letter C, situate, lying and being, in Forman's new division of said Town, bounded on the north by Mr. Belcher's Estate, and there measuring Seventy-one feet and a half, on the west by part of number Six, and there measuring thirty-nine feet three inches, on the south by Lot number Five, and there measuring thirteen feet, on the west by Lot number Five, and there measuring Forty feet, on the south by Lot number ten, and there measuring Fifty-eight feet and a half, and measuring in front on Argyle Street Seventy-nine feet three inches; which Land and Premises, by Deed dated the Eighth day of May, One Thousand Seven Hundred and Ninety-two, was conveyed by Richard Cunningham, Esquire, to Alexander Anderson, John Wisdom, Joseph Anderson, Peter Smith and Samuel Sellon, their Heirs and Assigns, in Trust for the benefit of the Society of People called Methodists, at Halifax, as by the said Deed, duly registered at Halifax on the twenty-sixth day of June, in the said year One Thousand Seven Hundred and Ninety-two, will appear.

Secondly.—A certain Lot of Land, situate near Cornwallis Fort, now the South Barracks, in Halifax, said part being bounded on the north by the Street, on the south by the old Burying Ground, on the west by Richard Cleary's Lot, and on the east by the Street at the Shed Barracks, measuring one hundred and sixteen feet in front and Two Hundred and twenty feet in depth, which Land was, by Deed dated the fifth day of May, One Thousand Seven Hundred and Ninety-eight, conveyed by William Gorkum and Mary his Wife, to Alexander Anderson, Samuel Sellon, Burrows Davis, Thomas Cowdell and George Leizer, their Heirs and Assigns, and by another deed, dated the twenty-seventh day of February, 1816, was confirmed by the said William Gorkum and Wife, in Trust for the benefit of the Society of People called Methodists, at Halifax, and to be occupied as a Burial Ground for them, as by the said Deeds, duly registered at Halifax on the tenth day of May, One Thousand Seven Hundred and Ninety-eight, and on the thirteenth day of March, 1816, will appear.

Third.—All that certain Lot or Piece of Land, situate in Halifax aforesaid, known and described as Lot number Four, in Forman's new Division, Letter C, which, by Deed dated the fourth day of May, One Thousand Eight Hundred and Four, was conveyed by William End to Alexander Anderson, Burrows Davis, Samuel Sellon, Peter Smith and George Leizer, their Heirs and Assigns, in Trust, for the use and benefit of the Society of the People called Methodists at Halifax, as by the said Deed, duly registered at Halifax on the third day of September, One Thousand Eight Hundred and Four, will appear.

Fourth.—All that certain piece or parcel of Land fronting on Grafton Street, in the Town of Halifax, measuring Thirty-six feet in front, and Thirty-six feet in depth, being the southern part of Lot number Five Letter C, in Forman's new division of the Town of Halifax, formerly purchased by Robert Chisholm from Philip Kuhn, the said piece or parcel

parcel of Land being the whole of said Lot excepting Four feet in front, and running the whole depth of the northern part thereof, reserved by the said David Chisholm for his own use, which said lot of Land was, by Deed dated the fifteenth day of April, One Thousand Eight Hundred and Eighteen, conveyed by David Chisholm and Margaret Ann his Wife to Alexander Anderson, Samuel Sellon, the Reverend William Black, John Jost, George Nock, Hugh Bell, Charles Loveland and Martin Gay Black, their Heirs and Assigns, in Trust for the benefit of the Society of People called Methodists, at Halifax, as by the said Deed, duly registered at Halifax on the sixteenth day of April, One Thousand Eight Hundred and Eighteen, will appear.

SCHEDULE B. REFERRED TO IN THE PRECEDING ACT.

Know all men by these presents that we, (names of continuing Trustees) all of Halifax, the present Members of the Board of Trustees of the Methodist Society at Halifax, constituted by the Act of the General Assembly of Nova-Scotia, passed in the Second year of the Reign of His Majesty King William the Fourth, and entitled, An Act concerning the Property of the Methodist Society at Halifax, having this day met together in Halifax, for the choice of a new Trustee, in the room of (name of Trustee whose seat is vacant) whose (death, resignation or other cause) has occasioned a vacancy in the said Trust, did, pursuant to the powers and directions by the said Act given, duly, by a majority of votes of us the present Trustees, choose and elect (name of party chosen, his residence and resignation) being a Member of the Society of Methodists at Halifax, to be one of the Board of nine Trustees in and by the said Act established, and the said (name of new Trustee) having accepted the Office and consented to act as one of the said Board, as by his hand and seal to these presents subscribed and set is signified, we, the said continuing Trustees, do hereby elect, nominate, constitute and appoint, him the said (name) so long as he shall continue a Member of the said Society at Halifax, to be a Member of the Trust aforesaid, and one of the Statute Trustees of the Methodist Society at Halifax, with full power and authority to have, use and exercise, in conjunction with the other Trustees for the time being, all the Trusts, powers, rights, privileges and authorities, and to fulfil and discharge all the duties which in and by the said Act are may be discharged, used or exercised, by the said Board of Trustees, pursuant to the said Statute, in witness whereof, we and the said newly elected Trustee have hereto our hands and seals subscribed and set at Halifax, this day of in the Year of Our Lord One Thousand Eight Hundred and

Certificate of
appointment of
new Trustee

Signed and Sealed in }
the presence of us }

CAP. LVIII.

An Act for the Relief of Insolvent Debtors.

(PASSED THE 14th DAY OF APRIL, 1832.)

WHEREAS, by the Laws now in force for the relief of Insolvent Debtors, the
Creditor or Creditors at whose suit such Debtor may have been taken in execution, are empowered to detain such Debtors in Gaol, after they have complied with all the requisites of the Acts passed for the relief of such Debtors, upon making to such Debtors the weekly allowance of Bread prescribed by the said Acts; *And whereas,* Persons who have fully and fairly assigned all their Property for the benefit of their Creditors, are frequently so detained in custody by their Creditors, with a view of extorting the amount of the Debts due to them from the friends or relatives of such Debtors, who have had no control over such Debtors, nor have been parties in any way to the contracting of the debt, nor have had any means of preventing the same from having been contracted.

Preamble

Insolvent Debtors entitled to discharge from Prison

Provide

Prisoners now under Execution for Debt

Liability of Persons and Property of Debtors

Assignment of Property of Debtors

Refusal of Debtor to comply with conditions prescribed

Acts 3d and 4th Geo. III extended to debtors confined in Jail

Acte repealed

I. *BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, That* where any Person detained in Prison, under execution issued, on any judgment obtained against him or her for any debt contracted, shall apply for his or her discharge, and shall in all respects comply with the directions of the Acts now in force for the relief of Insolvent Debtors, such Person shall be forthwith discharged from his or her imprisonment, unless good and sufficient cause for the further detention of such Prisoner shall be shewn by affidavit to the Court or Justices to which or to whom the application for the discharge of such Prisoner shall have been made.

II. *Provided always, and be it further enacted, That* if it shall appear to the Justices or Court before whom any such Prisoner shall be brought that such Debt was fraudulently contracted, or that there have occurred any circumstances in respect of such Debt, or the delay of payment thereof, which, in the opinion of such Justices or Court, render it proper that the person should be no longer detained in Prison; then, and in every such case, it shall be lawful for the said Justices or Court to remand the Prisoner for such longer period or periods as the said Justices or Court shall consider proper under all the circumstances of the case; and also, from time to time, to make such further order or orders as the said Justices or Court may judge equitable and proper.

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

Provided always, That nothing in this Act contained shall deprive or be construed to deprive any Creditor or Creditors of any Debtor or Debtors, discharged by virtue of this Act, of all the rights and powers of proceeding against the Property or person of such Debtors, which are secured to them by the Laws now in force for the relief of Insolvent Debtors, save and except the right and power of having such Debtors remanded to Gaol, at the option of such Creditors, upon making such allowance of Bread.

IV. *And be it further enacted, That* in every case where a person shall be ordered to be discharged upon assigning any Real or Personal Estate, it shall be lawful to and for the Court or Justices, before whom the person is brought, to order all such Deeds and Instruments of Assignment to be executed as shall or may be, by the said Court or Justices, deemed necessary for the better and more perfect and satisfactory transfer and assignment, to the Creditor or Creditors, of all the Real and Personal Property so ordered to be assigned as aforesaid.

V. *And be it further enacted, That* the said Court or Justices, before whom any prisoner shall or may be brought, may and are hereby empowered to refuse to discharge any such Prisoner, if such Prisoner shall decline or refuse to comply with such terms and conditions as the Court or Justices may deem reasonable to be entered into by or on the part of the Prisoner, towards the payment in whole or in part of the Debt or Costs, for which he or she may be confined in Jail as aforesaid.

And whereas, in cases where any Person may be committed to Prison under any Execution by any Justice or Justices of the Peace, it may be inconvenient that the same Justice or Justices who shall have made the commitment, should be required to attend at the examination of such Prisoner, under the Acts for the relief of Insolvent Debtors.

Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication of this Act, it shall and may be lawful in any case where any Person shall have been committed to Prison, under any Execution, by any Justice or Justices of the Peace, in any cause tried and determined before such Justice or Justices, for any two of His Majesty's Justices of the Peace for the County wherein such Person shall be imprisoned, without fee or reward, to extend the benefit of the Act, passed in the third and fourth years of the Reign of His late Majesty King George the Third, entitled, An Act for the relief of Insolvent Debtors, and the Acts in amendment thereof, to every such Person who may have been committed to Prison as aforesaid, although neither of the said Justices last mentioned may have been one of the Justices by whom the said Person may have been committed.

VII. *And be it further enacted, That* an Act, passed in the Forty-fourth year of the Reign

Reign of His late Majesty King George the Third, entitled, An Act in addition to, and amendment of, an Act, made and passed in the third and fourth year of His present Majesty's Reign, entitled, An Act for the relief of Insolvent Debtors; and also, an Act passed in the fifty-first year of the Reign of His late Majesty King George the Third, entitled, An Act in further addition to, and in amendment of, an Act, made and passed in the third and fourth year of His present Majesty's Reign, entitled, An Act for the relief of Insolvent Debtors, and every matter, clause and thing, in the said several Acts contained, shall be, and the same are hereby, respectively repealed.

CAP. LIX.

An Act for regulating the Alewives Fishery on Barrington River.

(PASSED THE 30th DAY OF MARCH, 1832.)

WHEREAS the Alewives Fishery, on the River at Barrington, in this Province, is a Public Fishery open to all the Inhabitants of that Township. *And whereas*, from the increase of the Inhabitants, and the limited number of Fishing Stations, but few persons can receive any benefit from said Fishery, and, from the general resort of the Inhabitants thereto, much riot and confusion has been and is continually produced, insomuch that at present the said Fishery is of little or no advantage to the Inhabitants generally:

Preamble

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, the right and privilege of the said Fishery for Alewives, in the said River at Barrington, for the then ensuing Season, shall be sold or leased by Public Sale or Auction, annually on the first Tuesday of January, in each and every year, by the Commissioners hereinafter mentioned, and to be appointed by or by virtue of this Act, to the highest and best bidder or bidders for the same at such sale.

Right of Fish-
ery may be
Sold or Leased

II. And be it further enacted, That the purchaser or purchasers at such Sale shall immediately thereafter associate with themselves as partners in the said Fishery, so many persons, Inhabitants of Barrington aforesaid, to be approved of by the said Commissioners, as together with the said purchaser or purchasers shall make up the number of twelve persons, to which twelve persons the said Commissioners shall, by a Lease or Instrument in writing, under their hands and seals, lease, assign and convey, the said right and privilege of Fishing for the then next ensuing year, to hold to them as Lessees thereof, upon payment of the rent or rents, sum or sums of Money, agreed upon and bid for the same at the said Sale, and upon the terms and conditions hereinafter mentioned.

Association
formed

III. Provided always, and be it further enacted, That the said Lessees shall in all cases, before they shall receive any such Lease, Assignment or Conveyance, as herein before mentioned, become bound with two good and sufficient Sureties, to be approved of by the said Commissioners, in a Bond to the said Commissioners, in the penal sum of Fifty Pounds of lawful Money of this Province, conditioned that the said Lessees shall well and sufficiently fish the said River during the Season, and shall and will sell and supply to the Inhabitants of Barrington, when and as they shall or may require the same during the fishing Season, such quantity of Alewives (if sufficient be taken or caught) as may be required by any of the said Inhabitants, for the use and consumption of themselves or their families respectively, at the prices following, that is to say:—For fresh Alewives, eight pence for each and every one hundred thereof; for salted Alewives fit for smoking, one shilling for each and every one hundred thereof; and for salted Alewives fit for packing for family use, one shilling and two pence for each and every one hundred thereof.

Conditions im-
posed on Les-
sees

Supply of Inhabitants of Barrington with Fish secured

IV. *And be it further enacted*, That until and after the Inhabitants of the said Township of Barrington shall be fully supplied, and until and after such time as no further quantity of Alewives shall be required by the said Inhabitants, for the use and consumption of themselves and families, it shall not be lawful for the said Lessees or any or either of them, to sell or cause to be sold to any person or persons other than to the said Inhabitants, any quantity or quantities of Alewives whatsoever, the produce of the said Fishery:—*Provided always*, That nothing in this Act contained shall prevent or be construed to prevent the said Lessees or any or either of them after the fifteenth day of June, in each and every year, from selling Alewives to any person or persons whomsoever; *And provided further*, That any Fisherman or Fishermen, being an Inhabitant or Inhabitants of the said Township of Barrington, who shall or may require to purchase or procure fresh Alewives for bait, shall at all times be entitled to be, and shall be, first supplied, before and in preference to any other person or persons whomsoever.

Privileges of Lessees

V. *And be it further enacted*, That when and so soon as the said Sale, Lease, Assignment and conveyance, shall be completed as aforesaid, the said twelve Lessees, to whom the same shall be made by the said Commissioners, shall be, and shall be taken to be, the only persons entitled to fish for and take Alewives in the said River at Barrington aforesaid, for and during the year for which they shall have received such Lease, Assignment and Conveyance, herein before mentioned, and directed to be made, and it shall not be lawful for any other person or persons, without the consent and permission of the said Lessees, or the majority of them, to fish for and take Alewives in the said River, during the said year, any law, usage or custom, to the contrary notwithstanding.

Interference with Lessees

VI. *And be it further enacted*, That if any other person, save and except the said Twelve Lessees, shall, without the permission and consent of the said Lessees, take or fish for, and catch more than fifty, Alewives in the said River at Barrington aforesaid, on or at any one time or day, such person shall for the first offence forfeit the whole of the fish so caught and pay a fine of five shillings, and for the second offence a fine of ten shillings, and so on in the like proportion for each succeeding offence, so as the penalties for offences committed on any one day do not exceed in the whole the sum of forty shillings, which fines shall be respectively sued for and recovered before any Justice or Justices of the Peace within and for the County of Shelburne, as debts of the like amount are or may be by Law sued for and recovered, and shall be paid to the said Commissioners, to be by them applied as hereinafter directed.

Indians exempted

VII. *Provided always, and be it further enacted*, That nothing in this Act contained shall be construed to prevent Indians from catching fish in the said River.

Liability of Lessees

VIII. *And be it further enacted*, That all the said Lessees shall be jointly and severally liable for, and shall pay to the said Commissioners, the annual rent or rents, sum or sums of Money, payable under and by virtue of such lease, assignment or conveyance, as may be made to them by the said Commissioners; and in case of default of payment, the said Commissioners shall and may have, use and take, all lawful ways and means for the recovery thereof, by suit or otherwise.

Control

IX. *And be it further enacted*, That the said Fishery shall be under the control of the Overseers appointed by the Sessions of the Peace, and shall be subject to the like regulations, with respect to the time and manner of Fishing, (except as the same are or may be altered by this Act) as heretofore; and that all Nets set above the range of Blackberry Island and the South end of Kerby Island, shall extend, and be set so as to extend, North and South, or as nearly so as may be.

Application of Monies received under this Act

X. *And be it further enacted*, That all monies to be received by the said Commissioners under and by virtue of the provisions of this Act, shall be paid and applied to and for the repairs and improvement of the Roads in the said Township of Barrington, in such manner and under such rules, regulations, provisions and restrictions, as by the Justices of the Peace resident in the said Township of Barrington, or the majority of them, shall or may be from time to time ordered, made, provided and directed: *Provided always*, that an account of the Monies so received and expended, and the mode in which the same have been expended, shall be rendered to the Justices of the Peace in their General Sessions of the Peace in the County of Shelburne.

XI. *And be it further enacted,* That Obadiah Wilson, Ebenezer Crowell, John Homer, and William B. Sargent, Esquires, and John Benson, and Samuel O. Doane, Gentlemen, all of Barrington aforesaid, shall be, and they are hereby, authorised and empowered to be, and to act as, the Commissioners for carrying into effect the several provisions of this Act; and in case of any vacancy arising among the said Commissioners, by the death, continued absence from the Province, or refusal to act, of any or either of the said Commissioners, then it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to nominate and appoint some other fit and proper person or persons to act as a Commissioner or Commissioners in the place and stead of the Commissioner or Commissioners so dying, absent, or refusing to act as aforesaid.

Commissioners
for carrying
this Act into
effect

And whereas, the said right and privilege of Fishing has been sold and leased at Public Sale for the ensuing Season, conditionally, that if an Act of the General Assembly authorising such Sale should pass, the said Sale and Lease should be confirmed:

XII. *Be it therefore enacted,* That such Sale and Lease shall be in all things confirmed, and shall be, and be deemed, and taken to be, as good, valid and effectual, to all intents and purposes, as if this Act had been in force at the time the same was made; and the said Commissioners shall lease, assign, and convey, the said right and privilege of Fishery, and otherwise proceed and act therein in the same way and manner and to all intents and purposes as by this Act is provided and prescribed.

Sale of Lease
heretofore
made confirmed

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

Continuation of
Act

CAP. LX.

An Act to continue an Act, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Fifty-second year of the Reign of His late Majesty King George the Third, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

Act 52d Geo
III. continued

CAP. LXI.

An Act to continue the Act to amend an Act for Establishing a Public School in the Town of Halifax.

(PASSED THE 30th DAY OF MARCH, 1832.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Fifty-first year of the Reign of His late Majesty King George the Third, entitled, An Act to amend an Act, passed in the twentieth year of His Majesty's Reign, entitled, An Act for establishing a Public School in the Town of Halifax, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for three years, and from thence to the end of the then next Session of the General Assembly.

Act 51st Geo.
III. continued

CAP. LXII.

An Act to alter and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships.

(PASSED THE 30th DAY OF MARCH, 1832.)

Preamble

WHEREAS, the provisions contained in the seventh clause or section of the Act, passed in the last Session of the General Assembly, entitled, An Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships, have been found inconvenient, in as much as it frequently happens, that although due notice may have been given to the Proprietors of the Common Fields, mentioned in such Act, of the intended meeting of such Proprietors, yet such a number of Proprietors do not attend the said meeting, whose rights and shares amount together to one half of the land contained in the said Common Field, in consequence of which such meeting cannot legally make or pass such regulations, affecting the Common Field, as will be binding and conclusive on the said Proprietors.

Regulations made at any Meeting, binding

I. *BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, That at any meeting of the Proprietors of any such Common Field, upon due notice given thereof, as is required by the said Act, all regulations made by such meeting respecting the said Common Field shall be binding and conclusive upon the Proprietors thereof, if the said regulations shall be made and passed with the assent and by the determination of such number of the Proprietors present at such meeting, whose rights and shares in such Common Field, when added together, shall amount to more than one half of the Land owned in such Common Field, by the Proprietors then present at such meeting, notwithstanding such rights and shares may not amount to one half of the Land contained in such Common Field.*

Continuation of Act

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

CAP. LXIII.

An Act to continue an Act in amendment of certain Acts relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates.

(PASSED THE 30th DAY OF MARCH, 1832.)

Act 10th Geo. IV. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the Tenth year of His late Majesty's Reign, entitled, An Act in amendment of an Act, made and passed in the thirty-second year of the Reign of His late Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, and an Act, passed in the thirty-fourth year of His said late Majesty's Reign, in amendment of the said Act, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. LXIV.

An Act to authorise an additional issue of Treasury Notes.

(PASSED THE 16th DAY OF FEBRUARY, 1832.)

WHEREAS under an Act, passed in the Ninth year of His late Majesty's reign, entitled, An Act for issuing Treasury Notes, and cancelling those now in circulation, and also, an Act, passed in the Tenth year of His said late Majesty's Reign, entitled, An Act to authorise an additional issue of Treasury Notes, an issue of Treasury Notes to the extent of Fifty-five Thousand Pounds is authorised and allowed. *And whereas, it has become necessary to make a further issue of Treasury Notes :*

Preamble

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That* it shall and may be lawful for the Commissioners, appointed or to be appointed under the said Act, passed in the Ninth year of His said late Majesty's reign, to issue Treasury Notes to a further amount, not exceeding Twenty-five Thousand Pounds, so that the whole amount of Treasury Notes, at any one time in circulation, under the said several Acts hereinbefore mentioned, and the present Act, shall not exceed in the whole Eighty Thousand Pounds.

Further issue of Treasury Notes

II. *And be it further enacted, That* of the Notes hereby authorised to be issued, the sum of Twenty-three Thousand Pounds shall be in Notes of Twenty Shillings each, and the sum of Two Thousand Pounds in Notes of Ten Shillings each : and all the said Notes shall be made, indented, signed, countersigned, dated and delivered, and be in such and the like form, figures and words, as near as may be, as in and by the said Act passed in the Ninth year of His said late Majesty's Reign is directed, with respect to Notes to be issued under the said last mentioned Act.

Description of Notes

III. *And be it further enacted, That* the Treasurer of the Province shall be accountable for the Notes delivered to him under this Act, and the same Notes shall be redeemable, and be paid or cancelled, in such and the like manner as by the said Act of the Ninth year of His said late Majesty's Reign is directed, with respect to the Notes to be issued under the same, and all the clauses, sections, provisions, penalties and forfeitures, contained in the said Act, passed in the Ninth year of His said late Majesty's Reign ; and also, an Act passed in the Eleventh year of His said late Majesty's Reign, entitled, An Act in amendment of the several Acts now in force relating to Treasury Notes, shall extend to all Notes to be issued under the authority of the present Act.

Treasurer to account for Notes

327.

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