

Persons refusing to
serve as Assessors or
Collectors, forfeit
£5.

for the Use of the
County.

Seventeen Pounds
advanced out of the
Province Treasury,
to be repaid by the
County Treasurer.

III. *And be it also enacted*, That if any Person or Persons appointed Assessors or Collectors as aforesaid, shall refuse or neglect to serve as such, each and every such Person so neglecting or refusing, shall forfeit and pay the Sum of Five Pounds, to be levied, in default of Payment, by Warrant of Distress and Sale of the Goods of such Person or Persons, under the Hand and Seal of any two of His Majesty's Justices of the Peace for the County wherein such Person or Persons shall or may be appointed, returning the Overplus, if any be, to the Owner or Owners of the Goods so to be distrained and sold as aforesaid; and such Fine shall be paid to the Treasurer of such County, for the Use of the said County,

IV. *And Whereas the Sum of Seventeen Pounds has been paid out of the Province Treasury, for Payment of the Charges in bringing certain Prisoners from Windsor, to the Gaol of Halifax, Be it therefore enacted*, That the County Treasurer shall repay into the Province Treasury the aforesaid Sum of Seventeen Pounds, out of such Monies as shall be paid into his Hands by Virtue of this Act.

C A P. VII.

An ACT in further Addition to, and in amendment of An Act made in the Thirty Second Year of His late Majesty's Reign, intituled *An Act for preventing Trespasses*.

32 Geo. 2. c. 14.

Preamble:

All Rivers shall be
deemed lawful
Fences, where the
Tide flows Eight
Feet and upwards.

*** *HEREAS many Farms in this Province, are bounded by Rivers that are fordable at low Water; And Whereas it would be impracticable to make any Fence that would stand the Force of the Tides in such Rivers: And Whereas great Damage has been done to such Lands by Cattle running at large, and the Persons to whom such Cattle belongs could not, by Law, be prosecuted for a Trespass, as such Rivers are not deemed a sufficient Fence, Be it therefore Enacted by the Lieutenant Governor, Council, and Assembly*, That to all Farms which are bounded on Rivers where the Tide flows Eight Feet and upwards, at common Tides, such River so far up shall be deemed a sufficient and lawful Fence.

Persons refusing to
serve as Overseers
of the Poor, shall
forfeit £5.

II. *And Whereas the Penalties inflicted by an Act intituled An Act for preventing Trespasses, upon Persons refusing to serve in the Office of Overseers of the Poor, are insufficient for the End and Design of the said Act, Be it Enacted*, That when and as often as any Person nominated as by the said Act is directed, shall refuse to serve the said Office, he shall forfeit and pay the Sum of Five Pounds.

III. *And*

III. *And Whereas the Sums arising from the Penalties for not serving the said Office of Overseer of the Poor, are not appropriated, Be it enacted, That all such Sums of Money, as by Virtue of the said Penalties have been received, and now remain with the Clerk of the Supreme Court, and all such Sums of Money which may hereafter be received on Account of the said Penalties, shall be paid to the Overseers of the Poor, for and towards the Relief and Support of the Poor of the several Towns for which they shall be respectively appointed.*

Such Penalties to be for the Relief of the Poor.

C A P. VIII.

An ACT in Addition to an Act made and passed in the Thirty Third Year of His late Majesty's Reign, intitled An Act in Addition to An Act for regulating Petit Juries, and declaring the Qualification of Jurors.

33. Geo. 2. c. 9.

BE it enacted by the Lieutenant Governor, Council, and Assembly, That it shall and may be lawful for the Supreme Court, and the respective Inferior Courts and Sessions, on or before the last Day of their Sittings in each Term, to draw from the Box or Boxes deposited with the respective Clerks, and containing the Rolls or Tickets of the Names of the Grand and Petit Juries, such and so many Rolls or Tickets or Names, as may be sufficient to serve as Grand Jurors and Petit Jurors for the Term or Sittings of the said Supreme Court and Sessions of the Peace, and of Petit Jurors for the said Inferior Court next ensuing the Term or Sittings wherein the said Grand and Petit Jurors shall be so drawn as before directed.

The Juries to be drawn before the End of the Term, to serve at the next ensuing Term.

II. *And be it further enacted, That a Precept for summoning the said Grand and Petit Jurors, when so drawn, shall be signed by the Chief Justice of the Supreme Court, and First Justice of each Inferior Court and Sessions of the Peace; and that the said Precepts shall be filed in the said Courts by the respective Clerks.*

A Precept for summoning the Juries so drawn, shall be signed by the Chief Justice of the Supreme Court, &c.

III. *And it is hereby further enacted, That each and every of the Clerks of the said respective Courts shall, by Virtue of the said Precepts, ten Days before the Meeting of the then next ensuing Courts, issue out a Venire facias for summoning the said Grand and Petit Jurors, pursuant to the Tenor of the said Precepts, any former Law, Usage or Custom to the contrary notwithstanding.*

The Clerk of each Court shall issue a Venire facias, for summoning such Juries, ten Days before the Meeting of the next Court.