

C A P IX.

An ACT to empower the Supreme Court, at their stated Sittings in the Town of Halifax, to try Offenders who may be guilty of Felonies in other Counties in this Province.

Preamble.

* * * * * *HEREAS* it often happens that Persons are charged with
 * * * * * *W* committing Felonies in many Parts of this Province, at a
 * * * * * great Distance from the Town of Halifax, and in such Cases
 His Majesty's Governors have found it necessary and expedient to issue Commissions of Oyer and Terminer, and General Gaol Delivery, for the Trial of such Offenders in the proper Counties where such Offences have been committed: And Whereas it has been found by Experience, that the executing such Commissions in those Counties which are situated on the Sea Coasts, or to which there is no Communication by Land, has been attended with great Expence, in the Hire of Vessels to carry the Judges and the Officers of the Court, and for their Support; and the Uncertainty of Passages by Sea renders it very difficult to procure Jurors, and also to collect the Witnesses that may be necessary to be examined on the Trial of such Offenders, as the Inhabitants do not live together in any one Town or Place, but are settled in different Parts of the Country, many Miles distant from each other: In order therefore to remedy these Inconveniencies, Be it enacted by the Lieutenant Governor, Council, and Assembly, When any Person or Persons shall be charged with any Felony, done or committed in any County situate on the Sea Coasts of this Province, or to which there is no Communication with the Town of Halifax by Land, that the Justice of the Peace before whom such Offender or Offenders shall be examined, shall commit such Offender or Offenders to His Majesty's Common Gaol for the County of Halifax, and shall bind the Witnesses by Recognizance, to appear and give Evidence against such Offender or Offenders, at His Majesty's Supreme Court, Court of Assize, or General Gaol Delivery next to be held for the County of Halifax.

Persons charged with Felonies, done in any County, to which there is no Communication by Land with the Town of Halifax, shall be committed to the County Gaol of Halifax, and the Witnesses bound to appear at the next Supreme Court at Halifax.

The Supreme Court held for the County of Halifax, empowered to proceed against such Offenders.

II. *And be it further Enacted*, That His Majesty's said Supreme Court, Court of Assize, or General Gaol Delivery, shall be and hereby is empowered to proceed to the Trial of such Offenders, in the same Manner as if the Felonies with which they are charged had been done and committed in the County of Halifax; and all Trials, Verdicts, Judgments, Executions, and other Proceedings whatsoever of the said Court, to be had thereupon, shall be and hereby is declared to be as good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, as if the same had been in the County where such Felonies had been committed; any Law, Usage, or Custom to the contrary thereof in any wise notwithstanding.

III. *Provided*

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III. *Provided Nevertheless*, That nothing in this Act contained shall be of any Force or Effect until His Majesty's Pleasure shall be known therein.

This Act not to be in force until the King's Pleasure be known.

C A P. X.

An ACT in Amendment of an Act made and passed in the Seventh Year of His Majesty's Reign, intituled *An Act for Partition of Lands in Copercenary, Joitenancy, and Tenancy in Common, and thereby for the more effectual collecting His Majesty's Quit Rents in the Colony of Nova Scotia.*

7. Geo. 3. c. 2.
2 Sejs.

W *HEREAS* the present Method of executing Writs of Partition, by the Provost Marshal's summoning the Jury to attend on the Lands, in order to view and make Division of the same, may be oftentimes attended with an Expence equal to, or exceeding the Value of the Premisses; and may, in many Cafes, be almost impracticable, from the Nature, Situation, and large Extent of the Lands to be divided, Be it therefore enacted by the Governor, Council, and Assembly, That it shall and may be lawful for the Provost Marshal or his Deputy, upon receiving any Writ of Partition, for dividing any Lands, to proceed to the Execution thereof, in any Place within the County where the Lands shall be, by a Jury of the said County, who shall accordingly make a Division of the same, agreeable to the Bounds expressed in the Grant, and the best Information that can be procured of the Value, Nature and Quality of the Lands; and such Division, so made, shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the same had been made on the Spot; *Provided* that the said Division be made, in every other Respect, agreeable to the Laws in such Cafes made and provided.

Preamble!

Upon Writs of Partition, Division may be made of any Lands by a Jury of the County in any Part of the County where the Lands shall be.

II. *And be it further enacted*, That nothing in this Act contained, shall be of any Force or Effect, until His Majesty's Pleasure shall be known therein.

This Act not to be in force, until the King's Pleasure shall be known.

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