

“ And whereas it is also highly necessary for the Preservation of  
 “ several kinds or Species of Fish, whose Course has been greatly  
 “ obstructed or diverted of late in divers Parts of this Province by  
 “ the injudicious placing of Seines and Nets in certain Havens,  
 “ Creeks and Harbours therein, to the manifest Injury of Individuals,  
 “ and of the Community at large; for Remedy whereof.”

The Justices to hold  
*Special Session* for  
 regulating the Manner  
 of placing nets,  
 &c. in Rivers.

All Persons violat-  
 ing their Regulati-  
 ons.

to be liable to the  
 Penalties expressed  
 in the said recited  
 Act.


This Act to conti-  
 nue and be in force  
 till the End of the  
 year, 1787.

XI. *Be it further Enacted, by the Authority aforesaid,* That it shall and may be lawful for three or more Justices of the several Counties throughout the Province, and they are hereby directed to hold a *Special Session* in their respective Counties or District, as soon as may be, for the purpose of regulating the Manner of placing Nets and Seines in all such Havens, Rivers, Creeks and Harbours therein, as they shall or may judge necessary to prevent the aforesaid Evil, and under such Forfeitures and Penalties, as are expressed in the herein before recited Act, made in the third Year of His Majesty's Reign. And all Persons violating such Orders, Rules or Regulations, as the said Justices may from Time to Time make in their respective Counties, touching the Premises, shall be subject or liable to the same Pains, Penalties and Forfeitures, as Persons are subject or liable to, who violate or disobey the several Rules, Orders or Regulations, that the Justices in their said first *General Quarter Sessions* to be holden annually, are empowered to make by Virtue of the said recited Act, and this Act is to continue, and be in Force from the Publication thereof, until the End of the Year of Our Lord One Thousand Seven Hundred and Eighty Seven.

## C A P. VI.

AN ACT for applying certain Monies therein mentioned, for the Services of the Year One Thousand Seven Hundred and Eighty Seven, and for appropriating the Supplies granted in this Session of *General Assembly*.

*May it please your Excellency.*

 E His Majesty's most 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 Exigencies of His Majesty's Government of *Nova-Scotia*, do humbly beseech it may be Enacted, and be it Enacted by the Governor, Council and Assembly, That by or out of such Monies as now are, and from Time to Time shall be, and remain in the public Treasury of this Province, after paying the Interest on the Government Securities, and so much of the principal Sums due on such Securities, as the Proportion of *Ten per Cent.* of all, and singular the Monies arising from the Duties of Impost and Excise, paid into the Treasury will pay off, and discharge; there shall be paid and applied, a Sum not exceeding four Hundred Pounds to each of the Assistant Justices of the *Supreme Court*, for their respective Salaries for the Year One Thousand Seven Hundred

Monies to be paid  
 for the Services of  
 the Year 1787.

to the Assistant Ju-  
 stices of the *Supreme*  
*Court*, £. 400 each.

dred and Eighty Seven, provided the ſaid Offices ſhall be actually filled for that Year, in lieu of all Fees, and Perquiſitics whatever and not otherwiſe, and a further Sum of four Hundred Pounds to the Treafurer of the Province, for his Salary during the Year One Thouſand Seven Hundred and Eighty Seven, and for the Expence of his Clerk, and Office Rent for that Year; and a further Sum of One Hundred Pounds to the Clerk of the Council in *General Aſſembly*, for his Services for the Year One Thouſand Seven Hundred and Eighty Seven: and a further Sum of One Hundred Pounds, to the Clerk of the *House of Aſſembly*, for his Services for the Year One Thouſand, Seven and Eighty Seven; and a further Sum of Thirty Pounds, for defraying the Expences of the Council in *General Aſſembly*, for the ſame Year aforeſaid: and the further Sum of One Hundred Pounds to the Speaker of the *House of Aſſembly* for the ſame Year aforeſaid; and the further Sum of One Hundred Pounds to the Clerk of the Crown for his Attendance on the *Supreme Court* in all their Sitings, and not otherwiſe; and the further Sum of One Hundred Pounds, to the Solicitor General for the ſame Year aforeſaid; and the further Sum of Eighty Pounds to *Anthony Henry*, Printer, for printing for the Government in this Province, and for the *General Aſſembly* thereof, for the ſame Year aforeſaid; and a further Sum of Thirty Pounds to the Keeper of the *Council Chamber and House of Aſſembly*, for the ſame Year aforeſaid; and the further Sum of Seventy Pounds, to each of the two Waiters, employed in the Collection of the Revenue of this Province, for the *District of Halifax*, for the ſame Year aforeſaid, the ſaid Waiters not to act as Clerks in the Office of Collectors of Impoſt and Excife, but to give their whole Attention to the Duty of Waiter only; and the further Sum of Eighty Pounds, to the Gauger employed in the ſame *District*, for the ſame Year aforeſaid; and the further Sum of One Hundred Pounds to the Keeper of the Light Houſe at *Sambro* Iſland, within the County of *Halifax*, for the ſame Year aforeſaid; and a further Sum of One Hundred Pounds Sterling, to the Agent of this Province for his Services for that Year; and a further Sum of three Hundred Pounds, to defray the contingent Expences of the *General Aſſembly* during the preſent Seſſion, the ſame to be drawn for by the Governor; Lieutenant Governor or Commander in Chief, on the Certificate or Certificates of the Speaker of the *House of Aſſembly*, and Secretary of the Province, and not otherwiſe; and a further Sum of Ten Pounds, to the Reverend *Wingate Weeks* for his Attendance, during this Seſſion of *General Aſſembly*, as Chaplain to the *House of Aſſembly*; and a further Sum of Seven Pounds, to *Peter Etter*, Senior, Meſſenger of the Houſe for his Attendance during this Seſſion of *General Aſſembly*; and the further Sum of Thirty Pounds, to Mrs. *Deborah Cotnam* for her paſt Services, as Keeper of the *Council Chamber and House of Aſſembly*, and a further Sum of Sixty Pounds, to Doctor *John Almond* for his Services, as Superintendant Phyſician to the Poor Houſe in *Halifax*, and a further Sum of One Hundred Pounds, to Doctor *Nicholai* the diſpenſing Apothecary, and Surgeon, at the Poor Houſe; or ſo much thereof, as he may not have already received by Warrant on the Treafury, for Account of Medicines furniſhed by him, and his Attendance there; and a further Sum of Seventy five Pounds, to defray the Expence of the Repairs immediately neceſſary to be made, to the *General Aſſembly Houſe in Halifax*.

To the Treafurer  
£ 400.

to the Clerk of the  
Council in *General  
Aſſembly*, £. 100.

to the Clerk of the  
House of *Aſſembly*,  
£. 100.

for Expences of  
Council £30.

To the Speaker of  
the *House of Aſſem-  
bly*, £100.

To the Clerk of  
the Crown, £100.

To the Solicitor  
General, 100.

To the Government  
Printer £80.

To the Keeper of  
the Council Cham-  
ber and Houſe of  
*Aſſembly*, £30.

To the two Reve-  
nue Waiters for the  
*District of Halifax*,  
£10. each

To the Gauger £80.

To the Keeper of  
the Light Houſe  
£100.

To the Agent of the  
Province, £100 ſter-  
ling.

For Contingent Ex-  
pences of *General  
Aſſembly* £300.

To the Chaplain of  
the *House of Aſſem-  
bly*, £10.

To the Meſſenger  
£7.

To Mrs. *Deborah  
Cotnam* £30

To the Superinten-  
dat Phyſician of  
of the Poor Houſe  
£60.

To the diſpenſing  
Apothecary £100.

To defray Expenc-  
es for Repairs of  
*General Aſſembly  
Houſe*, £75.

To the Land Waiters and Gaugers at *Shelburne* to end of year 1786, £40. per annum.  
To End of Year 1787, £50. per annum.

Monies to be paid for making Roads, &c.  
from *Windsor Road* to *New Port*, £100.  
from *Annapolis Royal* to *Shelburne*, £500.  
from *Barrington* to *Shelburne*, £200.  
from *Remsbeg* to the *Cumberland Road*, £100.  
from *Digby* to the *River Sciffabou*, £200.  
from *Onslow* to *Tatmagushe*, £100.  
from *Country Harbour* towards *PiBon*, £250.  
from *Falmouth* to half way *River*, £50

£. 500 granted for the purpose of erecting a Light House leading into *Shelburne Harbour*.

Six per cent allowed Collectors at *Halifax*.

Ten per cent allowed Collectors at the out Ports.

II. *And be it further Enacted*, That out of the Monies which now are, or may be collected, for the Duties of Impost and Excise, there shall be paid and allowed, to the two Land Waiters and Gaugers, employed in the District of *Shelburne*, after the Rate of Forty Pounds *per annum* from the Date of their respective commissions until the end of the year, One Thousand Seven Hundred and Eighty Six, and after the Rate of Fifty Pounds *per annum*, to each of the said Waiters, for the Year One Thousand, Seven Hundred and Eighty Seven in lieu of all Fees, perquisites, and Expences whatsoever.

III. *And be it further Enacted*, That by or out of such Monies as are, or may come into the public Treasury of this Province, there shall be allowed and paid, a Sum not exceeding One Hundred Pounds, for the Repair of the Road, leading from the *Windsor road* to *Newport*; and a further Sum not exceeding Five Hundred Pounds, to compleat the Road lately opened between *Annapolis Royal* and *Shelburne*, and a further Sum not exceeding two Hundred Pounds, to open a Road from the Township of *Barrington* to *Shelburne*; and a further Sum not exceeding One Hundred Pounds, for the Purpose of opening a Road from the Settlement of *Remsbeg*, to the Road leading from *Cumberland* to *Halifax*; and a further Sum not exceeding two Hundred Pounds, for the Purpose of opening a Road from the Township of *Digby* to the *River Sciffabou*; and a further Sum not exceeding one Hundred Pounds, for the Purpose of Repairing the Road, leading from *Onslow* to *Tatmagushe*; and a further Sum not exceeding two Hundred and Fifty Pounds, for the Purpose of making a Road from *Country Harbour*, in the County of *Sydney*, towards *PiBon* by the Way of *Manchester* and *Antigonishe* in said County, and a further Sum not exceeding Fifty Pounds, to compleat the Road leading from *Falmouth* to the *Half Way River* so called; which several Sums of Money so appropriated, for the repair of Roads, shall be laid out and expended, under the Direction of such Commissioners as the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, shall think fit to appoint, agreeable to the Resolves of the *General Assembly*.

IV. *And be it further Enacted*, That by or out of such Monies, as are or may come into the public Treasury of this Province, there shall be paid, a further Sum not exceeding Five Hundred Pounds, for the Purpose of erecting a Light House, for the Safety of the Navigation leading into the Harbour of *Shelburne*, to be laid out and expended under the Direction of such Commissioners as the Governor, Lieutenant Governor, or Commander in Chief for the time being, may see fit to appoint for that Service.

V. *And be it further Enacted*, That there shall be allowed, and paid to the Collector or Collectors of Impost and Excise, out of all and singular the Duties respectively collected by them, and paid into the Treasury of this Province; that is to say, to defray the Charges of Collection at the District of *Halifax*, Six Pounds, on every Hundred Pounds so collected and paid; and Ten Pounds, on every Hundred Pounds so collected and paid at all and every, the other Districts, and outports in this Province, which several Allowances, shall be in Lieu of all other Fees, Perquisites and Expences whatsoever.

VI. *And*

VI. *And be it further Enacted, by the Authority aforesaid, That it shall and may be lawfull, for the Governor, Lieutenant Governor or Commander in Chief for the Time being, to draw by Warrant, on the Treasurer from Time to Time, such Sum and Sums of Money as may be necessary to defray the Expence of maintaining Prisoners committed to the Common Goal in Halifax, and not by Law chargeable to the County, the Expenditure of such Sums to be accounted for to the Committee of public Accounts, in the Manner heretofore used and accustomed.*

Governor to draw Money for support of Prisoners.

VII. *And be it further Enacted, by the Authority aforesaid, That out of all, and any of the Aids and Supplies aforesaid, there shall and may be issued and applied, by the Governor, Lieutenant Governor or Commander in Chief for the Time being, any Sum or Sums of Money not exceeding One Hundred and fifty Pounds, for defraying the contingent Expences of this Government for the same year aforesaid, as may grow due and are not ascertained, or particularly provided for by this or any other Act or Vote of Assembly.*

£150. granted for defraying the contingent Expences of Government for Year 1787.

VIII. *And be it further Enacted, by the Authority aforesaid, That all and singular the several Sums and respective Allowances, and Monies hereby made and granted, shall be issued and applied as by this Act is directed, and for no other Intent or purposes whatsoever, and shall be paid by the Treasurer of this Province for the Time being out of such Monies as may come into the public Treasury from the Duties of Impost and Excise, and other Aids and Supplies granted or to be granted by this or any other Assembly, upon Warrant or Warrants, under the Hand and Seal of the Governor, Lieutenant Governor or Commander in Chief of this Province, as the same shall grow due, without any undue Preference, or partiality whatsoever and not otherwise.*

Monies to be drawn for by Warrant as they grow due.

“ And whereas it is requisite to make Provision for the Payment, and Security of such Part of the Monies voted by this Assembly in their last Session, for Bounties and Premiums, the Repair of Roads, and other Services, as have not yet been paid, or drawn for, and also to ascertain what part of the Government Securities bearing Interest, shall be considered by the Treasurer of this Province as entitled to have a preferable Payment of Interest, and an exclusive appropriation of *Ten per cent.* of the Duties of Impost and Excise, for the Liquidation and Discharge so far as such Proportion will go, of that Part of the public Debt.” *Be it therefore Enacted, That all such Warrants and Treasurer’s Notes now outstanding as have been drawn conformable to any Vote, or Votes of this or former Houses of Assembly and have borne Interest for twelve Months at the least, before the passing of this Act, shall be entitled to such Preference and none others; and the Treasurer of the Province is hereby ordered, so to consider them, in the Payment of the Interest due thereon, and in the Appropriation of the ten per cent. aforesaid.*

Securities of One Year standing to be intitled to the preference of Interest &c. &c.

IX. *And be it also Enacted, That it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the Time being, to grant Warrants on the Treasury, under his Hand and Seal for all such Sum and Sums of Money, as were voted and applied by the General Assembly in their last Sessions, and have not been received or drawn for; and in case the Treasurer shall not have received Monies in the Treasury, for the Property of Government, sufficient to satisfy such Warrants, as shall or may be granted agreeable to this Act, he is hereby impowered on the Presentation of any such Warrants, to*

Governor to give Warrants for Money voted last Session.

All Warrants which cannot be paid to be acknowledged by the Treasurer bear Interest.

acknowledge the same by endorsing such Acknowledgement on said Warrant, with the Date of its Presentation, and such Warrant from thenceforth, shall carry Interest after the Rate of Six <sup>per cent per annum</sup> and may be taken and received at all the public Offices in this Province, as Cash for provincial Duties there due and payable; and shall be payable to the *bona fide* Holder thereof and no other.

Bounties and Premiums to continue until the End of the Year 1787.

X. *And be it further Enabled*, That the Bounties and Premiums voted and allowed by the *General Assembly*, in their last Sessions, shall be continued, and the same are hereby continued, until the End of the Year One Thousand, seven Hundred and Eighty Seven and no longer, and shall and may be paid and satisfied, conformable to such Votes by Virtue of this Act.

Governor to draw by Warrant £85. 7. to defray the expences incurred for repairs done to the Government House

XI. *And be it further Enabled, by the Authority aforesaid*, That by or out of all and every the Monies that now or may come into the Treasury of this Province the Governor, Lieutenant Governor or Commander in Chief for the Time being, may and shall draw by Warrant a sum not exceeding Eighty Five Pounds seven Shillings Currency to defray the Expences incurred for Repairs done to the Government House; an Account of which has been rendered to the *House of Assembly*.

## C A P. VII.

An ACT to enable one or more Justices of the Peace to issue a Compulsory Process, in the first Instance in civil Causes, which are by Law triable before them.

Preamble.



“HEREAS it frequently happens as the Law now stands, that Persons owing Debts, under three Pounds value, find means to elude Payment, although able to pay or satisfy the same.”

Justice of the Peace may issue a Capias or Warrant to arrest Debtors and hold them to Bail.

I. For Remedy whereof, *Be it enabled by the Governor, Council and Assembly, and it is hereby Enabled*, That from and after the Publication of this Act, it shall and may be Lawful for any Justice of the Peace within this Province, upon Application made to him, and on Affidavit made before him or them, of the Debts due, in the Manner practised in Debts of greater Value, to issue a Capias or Warrant to arrest the Body of the Debtor or Debtors, and hold them to Bail for his, or their Appearance, instead of the Process by Summons as now used, and to make the same returnable forthwith, or at such Period, not exceeding five Days, as he or they in his or their Discretion may judge fit, and to proceed to Trial and give Judgement thereon as in ordinary Cases.

No Person possessing a Freehold of the value of 40s. shall be arrested for a Debt under 20s. or not exceeding 4s.

II. *Provided always*, That no Person having a Freehold Estate within this Province of the Value of Forty Shillings by the Year, shall be arrested for a Debt due by him under Twenty Shillings, nor for any larger Debt not exceeding three Pounds unless in Addition to an Affidavit of the Debt, the Party applying shall also make Oath, that he verily believes that unless such Compulsory Process is allowed the Debt due will be lost.

This Act to continue to 31 Dec. 1787.

This Act to continue in Force until the Thirty first Day of December in the Year of our Lord One Thousand Seven Hundred and Eighty Seven.