

Justices in Sessions
to make further Re-
gulations respecting
Servants.

County or District within this Province, and they are hereby directed from Time to Time, to make further Orders and Regulations for the better Government and more effectual Correction of disobedient or refractory Servants within their respective Jurisdictions, and also for the apprehending all runaway Servants, and conveying them to their proper Masters and Mistresses.

Former Laws not
hereby expressly
altered to be con-
tinued.

VIII. *And be it further Enacted*, That all and every the former Laws of this Province, respecting Masters and Servants or either of them, so far as the same or any Part thereof are not expressly abrogated or altered by this present Act, shall be construed to be in full Force.

C A P. VII.

An A C T for regulating the Manner of issuing Proceſs and Execution from the *Inferior Courts of Common Pleas* for the several Counties in this Province, and also for altering the Form of the Summons heretofore used.

Preamble.

***** *HERE AS* the Manner of issuing Proceſs from the In-
* *W* * ferior Courts of Common Pleas has been found inconve-
* nient and troublesome, and the Form of the Summons hereto-
***** fore used, has been found expensive and vexatious, for reme-
dy whereof;

No Writ of Execu-
tion from Interior
Court to be directed
to any Sheriff out
of the County, and
no one to be sued
there unless actual-
ly resident within
the County.

I. *Be it Enacted*, by the Lieutenant Governor, Council and Assembly, That from and after the Publication hereof no Writ or Execution issuing from the *Inferior Court of Common Pleas* shall be directed to any Sheriff within the Province, except to the Sheriff of the County or District in which such *Inferior Court of Common Pleas* shall sit or belong to, and no Person or Persons whatsoever shall hereafter be sued in or before any *Inferior Court of Common Pleas*, within this Province, unless such Person or Persons shall be actually resident within the County or District, wherein such *Inferior Court of Common Pleas* shall sit or belong to.

II. *And be it further Enacted*, by the Authority aforesaid, That from and after the Publication hereof all Summons's issuing from any Court of Record within this Province, shall instead of being directed to the Sheriff or Constable, be directed to the Party or Parties, and the Form of the Summons hereafter to be issued from, or by any Court of Record in this Province, shall be as follows :

GEORGE

GEORGE the Third, by the Grace of GOD of *Great Britain, France and Ireland*, KING, Defender of the Faith, &c. &c. &c.

New Form of Summons prescribed.

To A. B. of C. in the County of D. (Occupation) we command you, that you be and appear before our Justices of our Court, next to be held at on the Day of next, then and there to answer to the Suit of C. D. of E. in the County of F. (Occupation) in a Plea of to the Damage of the said C. D. Pounds, as he says, and herein fail not. Witness Esquire, this Day of in the Year of our Reign, Annoque Domini.

And the Form of a Summons from a Justice of the Peace, shall be as follows :

To A. B. of C. YOU are hereby commanded to appear before me, on the Day of at o'Clock in the to answer to C. D. of E. in the Sum of and herein fail not. Witness my Hand and Seal, this Day of in the Year of our Reign, Annoque Domini.

III. *And be it further Enacted, by the Authority aforesaid, That a Copy or Copies of such Summons or Summonses shall and may be served on the Defendant or Defendants at least eight Days before the Day of Return thereof by any Person or Persons whatsoever of good Fame and Reputation, who shall be above the Age of Twenty one Years, and who can read and write (save the Party at whose Suit the same shall issue) and the Person serving a Summons issued out of any of His Majesty's Courts, shall make and subscribe on the Back of said Summons the following Oath or Affidavit to be made before any one of His Majesty's Justices of the Peace, and attested by him, viz. I A. B. Do swear that on the Day of last I served the within named Defendant C. D. with a true Copy of the within Summons by delivering the same to at and at the same Time told to the said what was the Meaning thereof, which Service shall be deemed and taken to be as good and effectual in Law as the Service of the Sheriff heretofore was; and if any Doubt shall arise before a Justice of the Peace relative to the Service of any Summons issued by him as aforesaid, he shall before he proceeds further on said Summons call on the Person who served the same to make the foregoing Affidavit.*

Same to be served by any one of good Fame, and Affidavit made thereof to be as sufficient Service as if done by Sheriff.

IV. *And be it further Enacted, That all Plaintiffs who shall hereafter recover Judgment in any Court of Record on such Summons or Summonses shall have taxed and allowed in their Bill of Costs for the Service thereof, as follows, viz. Two Shillings and Six Pence for the Service, One Shilling for the Affidavit, and one Penny per Mile Travel, the Travel to be computed from the Court House to the*

Fees allowed on such Process.

Place of the Defendant's Residence, and the Plaintiffs shall be allowed for Service of a Justices Summons, Six Pence, if the Distance of the Defendant's Residence from the Justices House shall not exceed Six Miles, and if the Distance shall exceed Six Miles than One Shilling and no more.

C A P. VIII.

An ACT in further Addition to an Act passed in the Second Year of His Majesty's Reign, intituled;
An Act for appointing Firewards and punishing Thefts and Disorders at the Time of Fire.

Preamble.

WHEREAS the Town of Halifax is often in great Danger of being burned by Reason of the Inhabitants neglecting to sweep and keep clean their Chimnies, for remedy whereof;

Firewards of Halifax to license Chimney Sweepers, and any one following the Calling without Licence to be punished as a Vagabond.

I. Be it Enacted by the Lieutenant Governor, Council and Assembly, That from and after the Publication hereof it shall and may be lawful for the Firewards in the said Town to nominate and licence fit and proper Persons to be Sweeper of Chimnies, and no Person or Persons shall presume to follow such Occupation or Employment unless he shall be appointed and licensed for that Purpose by the Firewards on Pain of being sent to the House of Correction and there punished as a Vagabond.

Firewards to make Orders respecting the Sweeping Chimnies.

II. And be it further Enacted, That it shall and may be lawful for the Firewards in said Town to make Orders and Regulations respecting the Sweeping of Chimnies in each Ward, and to direct the same to be done once a Month at farthest, and oftener if they shall think proper. And in Case any Fire or Fires shall happen in any House or Chimney within said Town, so as to alarm or endanger said Town or the Houses and Buildings in the Neighbourhood of such Fire, and the Occupants or Occupant of the House or Building where such Fire or Fires shall happen cannot make it appear that the Chimney or Chimnies of such House or Building has been swept according to the Rules and Directions of the Firewards by some licensed Sweeper, he, she or they shall forfeit and pay a Fine of Forty Shillings to be recovered on the Complaint of any one of the Firewards in said Town before any Justice of the Peace for the County of Halifax, to be levied by Warrant of Distress on the Offenders Goods and Chattels, and for want thereof on his Body, and to be paid into the Hands of such Fireward to be by him applied to the Repair of the Fire Engines or Water Buckets, or such other necessary Uses as the Safety of the Town from Fire may require, and any Fireward refusing or neglecting to give Information or to make Complaint in such Case, shall forfeit

Any Fire happening and the Occupant not being able to make it appear that his Chimney has been swept as is required to forfeit 40s.