

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 28th of May 1765 in the Fifth Year of His Majesty's Reign.

5 George III – Chapter 6

An Act for the Raising Money by presentment on the several Counties in this Province, for the Defraying Certain County Charges therein mention'd.

Be it enacted by the Governor, council, and assembly, that from and after the publication hereof, it shall and may be lawful, for the several grand juries in each of the several counties in this province, either at the court of assize, or general session of the peace held for such county, to present annually a proper and fit person, one of the freeholders of said county, to be a treasurer for said county for the year ensuing, and such person being approved of, by the courts shall be sworn to the due execution of his office, and invested with all the powers and trusts, as herein after directed.

And be it further enacted, that it shall and may be lawful for the several grand juries in each of the several counties within this province, either at the court of assize or general sessions of the peace, held for such county, to make presentment upon proper representations made thereon, by three or more freeholders of the said county, or of their own knowledge, of all such sum and sums of money or expences, that may be found or have arisen, or that may be absolutely necessary to be rais'd for the building or repairing a county goal, or for the building or repairing a court, or session house, erecting stocks, pillories, or pounds, and providing bolts and shackles, as also for the conveying of persons accused of any treason or felony, to the county goal, being three miles distance or upwards, so as the same do not exceed six pence per mile; as likewise for the support of poor criminals in goal.

And be it also further enacted, that all money so rais'd by presentment as aforesaid, and levied from off the inhabitants of the several counties, shall be paid into the hands of the county treasurer, and shall not be applied to any other use, than such for which the same was rais'd; and if any person or persons who shall be appointed in the said presentment and order thereon, to be the director or directors, overseer or overseers of the work, or the distributor or distributors of the money hereby rais'd, for which such presentment was made, shall not at the next general assizes or general sessions of the county, or in a reasonable time to be by them appointed, make appear in his, or their account or accounts, with good vouchers, that the money so rais'd and receiv'd by him or them, shall have been expended pursuant to said presentment to the use of the county, he or they shall still be chargeable with the same, and every person so accountable for any public money, shall when required by the justices at their general sessions or by the judges of assize at their general goal deliverly, make up their accounts on oath, and if such accountants shall neglect to make a fair and just account of all such publick money, or shall upon such accounts be found to have such money or any part thereof remaining in his, or their hands, such accountants shall forthwith pay such money into the hands of such persons, as shall by such grand jury and justices of the peace or judges of assize, be presented, and ordered for the

use of such county, where such publick money shall be raised, and in default thereof, such person or persons so accountable, shall by the justices at their said sessions or judges of assize at their respective assizes be committed to the common goal, in execution, until such account shall be made and ballance paid, or sufficient sureties given for the same.

Provided always, and be it enacted, that no presentment for the raising money as aforesaid, shall be confirmed by the judges of assize or the justices in general sessions, until the last day of the sitting of said court of assize or general sessions of the peace, and such presentment so made shall be posted up in the court house from the time of its being made till the same is confirmed, to the end, that all persons concern'd may have notice thereof, and object against and traverse the same, if they see convenient.

And be it further enacted, that it shall be lawful, for the several grand juries in each county in this province, at the assizes and at the general sessions of the peace to make presentment if they think fit; and for the judges and justices to confirm the same, for the raising any sum not exceeding ten pounds per annum, to be paid to the treasurer of each county for his services in that station, and also that it shall and may lawfull, for said grand juries to present three or more good and sufficient freeholders for every township in said county, to be assessors for said township, who are to be approved of by the court, and are to be sworn by the said court, or before any one of his Majesty's justices of the peace, to the due and faithful execution of the office to which they are appointed, and that without favour or affection, hatred or malice, to the best of their skill and knowledge, and in case any person, who may be appointed as assessor as aforesaid, and shall refuse to accept the said office, another person shall immediately be appointed in his stead by the court, or by any two of his Majesty's justices of the peace, and the person so refusing shall forfeit the sum of forty shillings, to be recover'd by bill plaint or information in any of his Majesty's courts of record, or before any two of his Majesty's justices, and be paid to the treasurer of the county, for the use of the county, wherein such assessor was appointed.

And be it also further enacted, that the judges of assize or justices in general sessions for each county, shall agree and determine each respective towns proportion of the sum so presented and confirmed by the court, and the sum so proportion'd, shall be assessed on the inhabitants in each township, in the justest and most equal manner they can devide, and the same shall be levied by the constables of the said townships respectively, by warrant under the hand and seal of any two of his Majesty's justices of the peace for the said county, and in case of refusal, by distress and sale of the goods and chattles of the persons refusing or neglecting to pay the sums assessed on them as aforesaid, with the charge of such distress and sale, returning the overplus if any; and in case any person or persons shall think themselves aggriev'd by such assessment or levying thereof, they shall be at liberty to appear to the next general sessions held for the county who are finally to determine the same; and the money when so levied, shall be paid into the hands of the county treasurer, who is to pay the same to the persons, as directed in the presentment.

And be it enacted, that the treasurer in each county, shall make up his accounts upon oath of all his receipts and payments, at every court of assize or general sessions held for said county, to be approved or disapproved by said courts, and the same shall be filed in the office of the clerk of the peace for said county, and no treasurer or other person or persons concerned, is to compound for any money to be rais'd on said county, nor make any deduction whatsoever for any sum he, or they shall pay to any person or persons, but such as he or they shall account for by proper vouchers, and if any treasurer shall offend herein, or neglect to make up his account as aforesaid, he shall for ever be incapable to serve as treasurer again, and be committed to goal without bail or main prize, until he fairly accounts with the court of assize or general sessions of the peace held for such town or county, and from the said court to receive a certificate of his having pass'd his account to their approbation.

Publish'd according to law, the 18th day of June, 1765.