

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the fifth day of December 1785, in the Twenty Sixth Year of his said Majesty's Reign, and there continued by several Prorogations unto the Twenty Fifth Day of October, 1787, in the Twenty Eighth Year of his Majesty's Reign, being the Third Session of the Sixth General Assembly convened in the said Province.*

28 George III – Chapter 10

**An Act for enabling Commissioners to make Sale of the public Buildings therein named for public Uses, and to erect on the lower Parade in the Town of Halifax a commodious Building, and also to provide or build a Common Jail.**

Whereas the several buildings herein after named are found to be incommodious, and greatly out of repair, and the increase of inhabitants in the province makes it expedient to build a suitable house for the accommodation of the general assembly, his Majesty's council, and the several courts of judicature, which usually meet at Halifax;

I. Be it enacted, by the Lieutenant Governor, Council and Assembly, that it shall and may be lawful for the commissioners to be appointed, as is herein after directed, or any three of them to sell, and dispose of at public auction, to the highest bidder, the orphan house, so called, with the lot of ground thereunto belonging; the court house, so called, with the lot of ground thereunto belonging; the house and lot of ground thereunto belonging where the general assembly now meet; the building commonly called the slaughter house with the lot of ground thereunto belonging; and the house and ground now used as the common jail; and to make, execute and deliver to the purchaser or purchasers thereof, or of any part thereof, good and sufficient deed and deeds of the same, which deed or deeds so made and given, shall be valid and effectual in law, to pass and convey in fee simple the entire estate and interest of the before mentioned lands and tenements, and every part or parcel thereof, to the purchasers or purchaser thereof, and their heirs and assigns, any law, usage, custom, deed in trust or other conveyance whatsoever to the contrary notwithstanding. Provided always that the said commissioners shall not proceed to the sale of the before mentioned premises or any part thereof until they shall have obtained a warrant or warrants for that purpose, signed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of his Majesty's council, and shall govern themselves in such sale or sales by such instructions and directions signed by the Governor, Lieutenant Governor, or Commander in Chief, by and with the advice of council, as shall, and may be given with or annexed to such warrant or warrants.

II. And be it further enacted, by the authority aforesaid, that the net proceeds of such sale or sales of the lands and tenements aforesaid, shall be wholly and entirely appropriated and applied to, and for the use and purpose of building, procuring or preparing a strong and sufficient common jail or prison, instead of the one so to be sold and disposed of, in such part of the town of Halifax, as the Governor, Lieutenant Governor or Commander in Chief and Council may think fit, and also of purchasing materials, and building on the lower parade

a public hall or province house, of brick or stone, sufficiently large and commodious to afford therein suitable apartments for his Majesty's council, the house of assembly, and courts of justice, which usually sit in Halifax, and proper offices for the register of deeds, the clerk of the crown, prothonotary, and clerk of the peace.

III. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, to nominate and appoint five commissioners by warrant under his hand and seal, which commissioners or any three of them, shall be fully authorized, and they are hereby empowered to carry this act, and the directions thereof into execution, and may appoint a proper person under them as an overseer, removable by them at pleasure, who shall be allowed and paid for his services a sum not exceeding one hundred pounds a year, and so in proportion for any greater or less time he may actually be employed, and who shall give bond to said commissioners to execute the trust reposed in him faithfully, honestly and diligently to the best of his skill and judgment.

IV. And be it further enacted, by the authority aforesaid, that previous to the purchase of any materials for such building, or beginning the same, or making any contract relative thereto, the said commissioners or any three of them, shall procure plans and sections of the building proposed to be erected, with particular estimates of the probable costs and expence of materials and building and completing the same, all which together with such contracts as the said commissioners may think proper to make and shall be offered them, shall from time to time be submitted to the Governor, Lieutenant Governor or Commander in Chief for the time being, and his Majesty's council for his and their approbation and direction, which being obtained shall be sufficient authority for every measure and proceeding of the said commissioners under this act.

V. And be it further enacted, by the authority aforesaid, that a sum not exceeding one thousand pounds over and above the proceeds of the buildings and grounds herein directed to be sold, shall and may be drawn for from the public treasury of this province, if wanted for the purpose of completing the buildings so to be erected or procured as aforesaid, and the Governor, Lieutenant Governor or Commander in Chief for the time being, is hereby empowered to draw warrants on the treasury at the requisitions of the said commissioners or any three of them, at such times, and in such proportions as they may judge necessary, which warrants in case the same cannot be paid off and discharged when presented for payment, shall from thence bear interest after the rate of six per centum per annum, and shall be chargeable on, and payable out of any monies collected and paid into the treasury of the province from the duties of impost and excise, or any other rates and taxes whatever.

VI. And be it further enacted, that the said commissioners shall be accountable for their proceedings under this act to the committee of public accounts from year to year, and shall pay into the treasury without delay whatever balance may remain in their hands or in the hands of either of them, after the monies or debts for which they may have become answerable or may have discharged shall be paid and satisfied.

VII. Provided always, that nothing herein contained, shall extend or be construed to extend to authorize the sale or disposal of any of the public buildings herein named, which are now used for public purposes until proper places can be provided instead thereof.