

prietors, and shall return their verdict in writing, under their hands and seals, to which at least twelve shall sign their names, and such verdict being entered by order of the Judges with the Clerk of the Court, thence forward shall become a record of said Court.

Jury to settle the value of lands.

IV. *And be it further enacted*, That the said monies so ascertained by the said verdict, being paid to the proprietors named in said verdict, respectively, or on their refusal to accept the same such monies shall be lodged in said Court for their use, or if minors or others disabled by law to receive the same, it shall be paid to their guardians or legal representatives, to be by them disposed of agreeable to the laws of this Province, and the said lands shall thereupon be vested in His Majesty, His Heirs and Successors for ever: and such record shall be a sufficient bar in law against any action brought by any of the proprietors of such lands, their heirs or assigns, for trespass, or for recovery of the same.

Disposal of monies arising therefrom.

Lands vested in His Majesty.

V. *And be it also further enacted*, That all lands heretofore taken upon, up for such use, whose value has not yet been ascertained may be proceeded on agreeable to this Act.

Lands heretofore taken.

VI. *And be it enacted*, That if the Provost Marshal or His Deputy shall refuse or neglect to summon a Jury as aforesaid, he or they shall forfeit and pay the sum of twenty pounds for every such neglect, or in case any of the Jury being duly summoned, shall not attend, or shall refuse to be sworn, he or they shall forfeit and pay the sum of five pounds each, for such neglect or refusal, and the Judges of the said Courts respectively, may order the same to be levied by warrant of distress and sale of the offender's goods.

Penalty for not summoning Jury.

Penalty for Jurors not attending.

CAP. II.

An ACT to empower the Governor, Lieutenant-Governor, or Commander in Chief, to appoint Sheriffs in such Counties where it may be found necessary.

This Act repealed by the 35th Geo. 3d. cap. 1.

CAP. III.

An ACT for the more speedy recovery of His Majesty's Debts within this Province.

WHEREAS the manner of recovering His Majesty's Debts hitherto used and practised, has been attended with great inconvenience, and oftentimes with the total loss of such Debts, through the length of the process and otherwise:

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That from and after the publication of this Act, the Collectors of the public money, in any case where they are obliged to give credit according to the laws of the Province, shall take such recognizances in the name of Our Sovereign Lord the King, to be paid to our said Sovereign Lord the King, His Heirs and Successors, and to his and their use only: and the said obligors shall at the same time give a full and sufficient power of attorney either indorsed on the said recognizance, or annexed thereto, empowering some one of the Attornies of the Court to confess, that such debt mentioned in the condition of the recognizance is justly due, and if the obligor or obligors shall pay and discharge the money due at, or before the time specified in the said recognizance, that then it shall be lawful, and such Collector is hereby required, to discharge such recognizance, and the same shall become void.

Recognizances to be taken for payment of Duties.

Obligors to execute a warrant of attorney, to enter indorsements for such debt.

II. *And be it further enacted*, That if such recognizances shall not be paid and satisfied at the time specified and mentioned therein, that then the Collectors or others who are empowered

Do

When Duties to shall not be paid

the Collectors to transmit recognizances to the Treasurer.

to take such recognizances shall forthwith transmit them to the Treasurer of the Province by the first safe conveyance.

Prosecution for the same.

III. *And be it also further enacted*, That the Treasurer, upon receipt thereof, shall cause the same to be prosecuted in His Majesty's Supreme Court at Halifax, and the recognizance being duly filed, and the confession of the debt being acknowledged, no imparlance shall be granted, but judgment shall be made up thereupon, and execution shall issue to levy the debt upon the goods, chattels, and estate of the debtor; and for the more speedy recovering the same, the said action may be entered at any time during the term in which such Court is held, or in any time during the vacancy of said terms, before the Chief Justice, or in his absence before either of the other Judges of the said Court, who shall thereupon order judgment to be made up as of the last term, and execution to issue thereon.

Execution to be levied within 60 days.

IV. *And be it further enacted*, In order to prevent any delay of justice, That the Provost Marshal or his deputy, upon his receiving the writ of execution, shall within sixty days from the date thereof, cause the same to be duly levied, or otherwise shall make a legal return thereof into Court, with his doings thereon, upon pain of answering for any failure or neglect agreeable to the laws in such cases made and provided.

CAP. IV.

An ACT for the making perpetual an Act, made in the Sixteenth year of His present Majesty's reign, entitled, an Act in addition to, and amendment of, an Act made in the Third year of His said Majesty's reign, entitled, an Act to prevent Nuisances by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the rivers in this Province.

Temporary Acts 16th Geo. 3d. cap. 10, made perpetual.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act made in the sixteenth year of His present Majesty's reign, entitled, An Act in addition to, and amendment of, an Act made in the third year of His present Majesty's reign, entitled, An Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers in this Province, shall be, and the same is hereby made perpetual, any proviso or limitation in the said Act notwithstanding.

CAP. V.

An ACT to prevent the Forestalling, Regrating and Monopolizing, of Cord Wood, in the Town of Halifax.

For Acts in amendment or addition to this Act see 38th Geo. 3d and 40th Geo. 3d.

Penalty for monopolizing cord wood.

BE it enacted by the Lieutenant Governor, Council and Assembly, That from and after the publication of this Act, whatsoever person or persons shall buy, or cause to be bought, any cord wood coming by land or water to the town of Halifax, to be sold again, except at the distance of ten miles from Halifax, or shall make any bargain, contract, or promise, or shall make any offer in any way or manner whatsoever, to any person or persons for the having or buying the same, or any part thereof, for the enhancing the price, or dearer selling any kind of cord wood coming by land or water, to Halifax aforesaid, shall forfeit and pay for every cord of wood so bought or received ten shillings per cord, over and above the price so given, or paid, upon conviction before two of His Majesty's Justices of the Peace, and be levied (in case of refusal of payment) by warrant of distress and sale of the offender's goods and chattels, and be applied towards the support of the poor of the said township.