

shillings for each and every pound which he shall so detain after demand so made as aforesaid: to be recovered by bill, plaint or information, in His Majesty's Supreme Court, at their fittings in any part of this Province: *provided*, Such action shall be brought within three months after such demand as aforesaid, and not otherwise:

This Act to be in force instead of the following Acts.

18th of Geo. 3d.

23d of Geo. 3d.

28th of Geo. 3d.

Except so much of the 23d Geo. 3d. as respects the obligation of Clerks of the Crown, and Peace to make returns to Supreme Court.

XIV. *And be it further enacted*, That, from and after the publication hereof, this Act shall be wholly substituted, and be in force, instead of the Acts herein after mentioned, *viz*:

An Act, made in the eighteenth year of His Majesty's reign, entitled, An Act to empower the Governor, Lieutenant-Governor or Commander in Chief, to appoint Sheriffs in such counties where it may be found necessary. And also instead of an Act, passed in the twenty-third year of His Majesty's reign, entitled, An Act for the better regulating the office of Sheriffs, and the manner in which Sheriffs, Clerks of the Crown, and Clerks of the Peace, shall return and pass their accounts of all fines and forfeitures which shall be imposed by their respective Courts. And likewise instead of an Act, passed in the twenty-eighth year of His Majesty's reign, entitled, An Act for the 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 summonses heretofore used: any thing in the said Acts, or either of them, to the contrary hereof, or different from the several provisions of this Act, in any wise notwithstanding. *Provided always, and it is hereby enacted*, That nothing in this Act contained, shall extend, or be construed to extend, to repeal so much of the Act, passed in the twenty-third year of His present Majesty's reign, above recited, as respects the obligation of Clerks of the Crown, and Clerks of the Peace, in the several counties within this Province, to make their returns to the Supreme Court, in the manner, and subject to the penalties expressed in, and by the eighth section thereof.

CAP. II.

An ACT to enable the Governor, Lieutenant Governor, or Commander in Chief for the time being, to appoint persons to solemnize Marriages, in places wherein no established Clergyman resides.

Preamble.

WHEREAS great inconveniences have arisen, and do still exist, in many parts of this Province, for want of persons being legally authorized to solemnize marriages, for remedy whereof:

Appointment of persons to solemnize marriages in places where no established Clergyman resides.

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 Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint such fit and proper persons as he shall think necessary, within any of the townships or districts in this Province, wherein no regular or licenced Clergyman doth reside, to solemnize marriages within such townships or district, between parties, both of whom shall have resided one month at least, within such township or district, by licence or otherwise as required by the laws of this Province, and all marriages so solemnized shall be as good and valid in law, as if the same had been solemnized by any regular licenced clergyman; any law, usage or custom, to the contrary notwithstanding.

Certificate of such marriages to be returned to the Clerk of the Peace.

II. *And be it further enacted*, That each and every person, solemnizing marriages as aforesaid, by virtue of this Act, shall, within thirty days after the solemnization as aforesaid, file with the Clerk of the Peace, for the county wherein such marriage is solemnized, a certificate thereof, under pain of forfeiting the sum of ten pounds for each and every offence.

III. *And be it further enacted*, that the Clerks of the Peace in their respective counties shall record

record within three days, each and every such certificate so affiled, under pain of forfeiting the sum of five pounds, for each and every neglect, which fine of ten pounds, and five pounds, shall be recovered by bill, plaint or information, in any of His Majesty's Courts of Record within the Province, the one half to be applied to the use of the poor of the township, wherein such offence shall be committed, and the remainder given to the person prosecuting therefor.

Clerks of the Peace to record such certificate.

IV. *And be it further enacted*, That such record shall be deemed, and taken, to be legal evidence of such marriage, in all Courts of law and equity within this Province.

Record to be legal evidence.

CAP. III.

An ACT in addition to and amendment of, an Act, passed in the Thirty-third year of the reign of His late Majesty, entitled, an Act for regulating and maintaining a Light-House on Sambro Island, and in addition to, and amendment of, an Act passed in the Twenty-eighth year of His present Majesty's reign, entitled, an Act for regulating and maintaining a Light-House at the entrance of the Harbour of Shelburne.

WHEREAS the duties payable on merchant ships and vessels by the aforesaid Acts, are directed to be paid at their going out of the said harbours of Halifax and Shelburne: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That from and after the publication hereof, all duties which shall become due, and payable on any merchant ship or vessel by virtue of the aforesaid Acts, or either of them, shall be paid immediately, after the arrival of such ship or vessel in the said harbours of Halifax and Shelburne respectively; and that in case the master or commander of any such ship or vessel, shall neglect or refuse to pay the said duties in manner hereby directed, such master or commander shall forfeit and pay the sum of five pounds; and it shall and may be lawful for the Collector of the said duties to enter on board such merchant ship or vessel, and hereto seize and detain until the said duties, and the aforesaid penalty shall be discharged and paid; and if any person or persons shall assault or obstruct the said Collector in the execution of his office as aforesaid, such person or persons so offending, shall forfeit and pay for each and every offence the sum of twenty pounds, which fines and penalties shall and may be recovered, by bill, plaint or information, in any of His Majesty's Courts of Record in this Province, two third parts whereof, shall be paid to the person or persons prosecuting for the same, and the remainder into the Treasury for the use of His Majesty.

Light duties to be paid on vessels arrival.

Master neglecting or refusing to pay duties to forfeit 5l.

Persons assaulting or obstructing Collector to pay 20l.

II. *And be it further enacted*, That for the more effectual security of the collection, and just account of the duties imposed by the Act of which this is in amendment, it shall not be lawful for the Naval Officer, or his deputy, to clear out any vessel at the naval office, until he receives a certificate from the Collector of the light duties, that such duties are paid, and the Naval Officer is hereby required to keep lists of such vessels, with their tonnage, and the names of their masters and owners, and to transmit to the Treasurer of the Province, quarterly, copies of such lists; and for the taking such lists, and making such copies, the said Naval Officer shall be entitled to receive from the master of every vessel, of fifty tons and upwards, the sum of one shilling, and for every vessel under fifty tons, the sum of six pence, and no more.

Naval Officer not to clear out any vessel until duties are paid.

Naval Officer to keep lists of vessels cleared out.