

CAP. IV.

An ACT to explain and amend an Act, passed in the seventh year of His present Majesty's Reign, entitled, An Act for partition of Lands in Coparcenary, Joint Tenancy, and Tenancy in Common, and, thereby, for the more effectual collecting His Majesty's Quit Rents, in the Colony of Nova-Scotia.

For Acts on this subject, see note on 7 and 8, Geo. 3d Cap. 2.

WHEREAS doubts have arisen, whether the said Act doth extend to, and enable, persons, who are Coparceners, Joint Tenants, and Tenants in Common, other than the proprietors of Townships, to make partition of lands to them belonging.

Preamble.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the said Act, and all Acts heretofore made, in amendment thereof, shall be construed to extend to all persons, who do, or shall, hold lands in coparcenary, joint tenancy, and tenancy in common.

The Acts for making partition of Lands, to extend to all persons holding as Joint Tenants, Coparceners, or Tenants in Common.

CAP. V.

An ACT in amendment of an Act, passed in the twenty-ninth year of His present Majesty's Reign, entitled, An Act for altering the Times appointed for holding the Court of Common Pleas, and General Sessions of the Peace, in the County of Sydney.

WHEREAS the times, specified in the afore recited Act, for holding the Inferior Court of Common Pleas, and General Sessions of the Peace, within the County of Sydney, have been found inconvenient to the inhabitants of the said District; for remedy whereof:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That the Court of General Sessions of the Peace, and Inferior Court of Common Pleas, shall, after the present year, be held at Guyfborough, in the said County, on the first Tuesday of March, and first Tuesday of October, annually. Any law, usage or custom, to the contrary notwithstanding.

General Sessions and Inferior Court, for County of Sydney, to be held at Guyfborough; at times stated.

CAP. VI.

An ACT in amendment of an Act, passed in the Thirty-fifth year of His Majesty's Reign, entitled, An Act to amend, and reduce into one Act, the several Laws, now in being, relating to a Militia in this Province.

WHEREAS the drafting of militia men, employed as mechanics or labourers in His Majesty's Ordnance Stores, and Naval or Carcening-Yard, and in the department of the Royal Engineers, is frequently injurious to His Majesty's service, for remedy whereof:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That, whenever a proportion of the militia of the town of Halifax, shall be called into service, it shall and may be lawful for the Colonel, or officer commanding the Regiment of militia to which mechanics or labourers belong, who are employed in His Majesty's Ordnance Stores, or in the Navy or Carcening Yard, or in the Royal Engineer Department, to apportion the number of drafts such mechanics and labourers, in each of the said departments, respectively ought to furnish, and to procure

Substitutes to be procured for men employed in the navy-yard, and ordnance and engineer departments.

good

Expence to be
assessed on men
so employed, in
proportion to
their pay.

Amount of as-
sessment to be
paid to the com-
manding officer.

On refusal to pay
after notice, Jus-
tice to issue War-
rant of Distress
and Sale to levy
the same,

in default thereof
to commit offen-
der to Gaol.

Provido that such
persons may find
their own substi-
tutes, or serve in
person.

Act to continue
to 1st July, 1798.
Continued by
subsequent Acts.

good and sufficient substitutes in the place or stead of such mechanics or labourers, on the most reasonable terms; the amount of which cost and expence, for procuring such substitutes, shall be duly assessed by the Colonel, Lieutenant-Colonel, or officer commanding the regiment, with the assistance of two captains of the said regiment, on each mechanic and labourer so employed in each of the aforesaid departments respectively, in proportion to the daily pay of each and every of the said mechanics and labourers.

II. *And be it further enacted, by the authority aforesaid,* That each and every such mechanick or labourer so assessed, as aforesaid, shall, on due notice thereof, pay the amount of such rate or assessment, to the officer commanding the regiment, or to any person by him duly authorized to receive the same. And if any such mechanick, or labourer, refuse or neglect to pay, such rate or assessment, it shall and may be lawful for any of His Majesty's Justices of the Peace, for the town of Halifax, on complaint of the officer commanding the regiment, and on due proof of such mechanick or labourer having been notified of the amount of his rate or assessment, and of his neglect or refusal to pay the same, to issue his Warrant to any of the constables of the town of Halifax, directing them to levy, by distress and sale of the goods and chattles of such mechanick or labourer, the sum so proved to be by him due and owing, as his proportion, rate, or assessment aforesaid, with costs of suit; and for want of goods and chattels, to commit such mechanick or labourer to jail; there to remain, until the amount, so specified in the warrant be duly paid. *Provided always,* That nothing, in this Act contained, shall extend, or be construed to extend, to prevent the said mechanicks or labourers, in each of the aforesaid departments respectively, from procuring substitutes agreeable to law, or performing the aforesaid Militia duty in person; on due notice given them of such duty, and on their declaring such their intention at the time of notification, and carrying the same into effect.

III. *And be it further enacted, by the authority aforesaid,* That this Act shall be, and continue, in force to the first day of July, in the year of our Lord one thousand seven hundred and ninety eight, and no longer.

CAP. VII.

Expired.

An ACT to continue in force the several Acts therein mentioned.

CAP. VIII.

An ACT to amend, and continue for one year, an Act, passed in the thirty-third year of His present Majesty's Reign, entitled, An Act for granting to His Majesty certain duties on Wine, Rum, and all other distilled Spirituous Liquors, and Brown Sugar, for the purpose of paying the interest, and reducing the principal, of the Public Debt of this Province.

Preamble.

WHEREAS it is necessary, for defraying the expence of public buildings, and other expenditures, that the Act, whereof this is in amendment, be further continued. And whereas doubts have arisen, whether articles forfeit to His Majesty, on account of illegal importation, or otherwise, are subject, on the sale of such articles, to the duties by law imposed thereon, the same as if they had been legally imported, for remedy whereof: