

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, and continued by several Prorogations to the 6th Day of June, 1797, in the 37th Year of the Reign of Our Sovereign Lord George The Third of Great-Britain, France, and Ireland, being the Fifth Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

37 George III – Chapter 1

An Act for appointing Commissioners to determine upon a proper situation, in the town of Halifax, and to purchase Lots of Ground, if necessary, to erect a Public Building, for the accommodation of the General Assembly, Court of Chancery, Supreme Court, and Court of Admiralty, and Public Offices, and for procuring plans and estimates for a building hereafter to be erected for the residence of the Governor, Lieutenant-Governor, or Commander in Chief, for the time being.

Whereas, from the present state of the province, it is become necessary, that, as soon as mechanics and labour can be procured on reasonable terms, a public building should be erected, wherein the General Assembly of the Province may convene, and where the court of chancery, supreme court, and court of admiralty, may be provided with a hall, and suitable apartments, for the administration of justice, and public offices:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the Honourable Charles Morris, the Honourable Thomas Cochran, and the Honourable Sampson Salter Blowers, of His Majesty's council: Jonathan Sterns, Michael Wallace, and Lawrence Hartshorne, esquires, of the house of assembly, and Richard John Uniacke, esquire, his Majesty's solicitor general, be appointed commissioners for the purpose of determining upon proper scites, purchasing lots of ground where it may be deemed necessary, and for erecting thereon a range of public buildings, of stone or brick, wherein the general assembly may hold its sessions, and the court of chancery, supreme court and court of admiralty, their respective sittings, and the public offices may be held; which said commissioners, or the major part of them, are hereby authorised, to make purchase of the lots of ground herein before mentioned, and to proceed to the purchase of materials, for the aforesaid range of public buildings, when they can be reasonably procured, after a peace takes place: when the price of labour shall be reduced to a reasonable standard to employ mechanicks, workmen and labourers, to erect and complete the said range of buildings, which said range of public buildings, shall not exceed the following dimensions, that is to say, in front and rear, one hundred and twenty-nine feet; in depth, fifty feet; and, in height, forty-one feet.

II. And be it further enacted, by the authority aforesaid, that the said commissioners, or the major part of them, shall procure proper plans, and sections, of a house to be erected for the residence of the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, with particular estimates of the probable cost and expences of the materials,

and workmanship, necessary to complete the said building: which plans, sections and estimates, shall be laid before the general assembly, at their next session; and to report to the general assembly, in their session, the scite the said commissioners may think most eligible for a government house.

III. And be it further enacted, by the authority aforesaid, that all contracts entered into by the aforesaid commissioners, with any person or persons for the purchase of lots of ground, materials and workmanship, shall previous to their being executed, be laid before the Governor, Lieutenant-Governor, or Commander in Chief for the time being, for his approbation.

IV. And be it further enacted, by the authority aforesaid, that a sum, not exceeding three thousand pounds, shall and may be drawn from the treasury of the province, for the purpose of purchasing the materials and lots of ground aforesaid, and for paying the workmen to be employed, in erecting and completing a range of buildings for the general assembly, courts of justice, and public offices abovementioned; and the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, is hereby empowered to draw warrants on the Treasury, at the requisition of the said commissioners, or the major part of them, for the aforesaid sum, or any part thereof, at such times, and in such proportions, as they may deem necessary.

And whereas there may not be a public ground sufficient, in the situation the said commissioners may judge most convenient for the erection of such building, and that the said commissioners cannot procure other lots of ground, from the proprietors, at a fair and reasonable price:

V. Be it further enacted, by the authority aforesaid, that in case the herein name commissioners shall think it necessary, to make a purchase of any lot or lots of ground, for the purposes aforesaid, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, on application of the said commissioners, or the major part of them, to commission and appoint a special court, for the purpose of ascertaining the value of such lot or lots of ground; which court shall be composed of, at least, one of His Majesty's justices of the supreme court, and such other justices of the court of common pleas, for the town of Halifax, as, by the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, may be deemed necessary.

VI. And be it further enacted, by the authority aforesaid, that such court, so appointed as aforesaid, shall forthwith issue a venire facias, directed to the sheriff of the county of Halifax, to summon twenty-four good and lawful men of his bailwick, freeholders of land, situate within the town of Halifax, to be and appear before the said justices, at such place, and on such day and hour, as by the said justices shall be directed: twelve of whom shall be sworn by the said court, to appraise and value such lot or lots of ground, at a fair and reasonable price, according to the best of their knowledge; and the twelve jurors so sworn, shall proceed to view, and value, the lot or lots of ground, so required by the aforesaid

commissioners for the said building, and shall deliver in a verdict to the said court, under the hands and seals of, at least, nine of the said jurors, wherein the value of such lot or lots of ground shall be expressed, in which said verdict the jurors aforesaid, shall give a particular description of the metes and bounds of such lot or lots, specifying each lot, distinct and separate from the others, according to the number of proprietors, and such verdict, so delivered into the said court, shall be duly entered, and become a record of the said court.

VII. And be it further enacted, by the authority aforesaid, that the value of such lot or lots of ground in money, so ascertained by the said verdict, shall be paid by the said commissioners, to the proprietor or proprietors thereof; and in case the said lot, or lots, shall appertain to absent persons or minors, or the proprietor or proprietors thereof shall abscond, so as that the sum of money awarded cannot be paid, or tendered, to them, or shall neglect, or refuse, to receive the same when tendered, the said money shall be lodged in the treasury for their use, there to remain until some person, duly authorised by law, shall apply for the same, and the said lands shall thereupon be vested in His Majesty, his heirs and successors, for ever.

VIII. And be it further enacted, by the authority aforesaid, that if the sheriff shall refuse, or neglect, to summons a jury as aforesaid, he shall forfeit, and pay, the sum of twenty pounds, for each, and every offence, and in case any of the jurors, duly summoned, shall not attend, or shall refuse to be sworn, such juror shall forfeit, and pay, for such neglect, or refusal, the sum of five pounds, to be levied by warrant, from the said court, of distress and sale of the offender's goods and chattles.

IX. And be it further enacted, by the authority aforesaid, that an act, made in the twenty eight year of the reign of His present Majesty, entitled, "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;" and every mater and thing, in the said act contained, (saving, and except such parts of the said act, as have been already carried into effect) shall be, and the same are hereby, repealed, and no longer in force or effect.