

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of February 1800, in the Fortieth Year of the Reign of our Sovereign Lord George the Third of Great-Britain, France, and Ireland, being First Session of the Eighth 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.

40 George III – Chapter 15

An Act in amendment of an Act, passed in the Thirty-fifth year of His present Majesty's reign, entitled, "An Act to amend, and reduce into one Act, the several Acts, made by the General Assembly, relating to the Office of Sheriff, and also for altering the Form of the Summons heretofore used."

Whereas the fees allowed to be taken by the several sheriffs in this province, are found to be inadequate to the duty of said office, therefore:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the fees hereafter to be allowed and taken by the several sheriffs, for their services to be done and performed in the said office, shall be as follows:

Serving every summons, or scire facias, and making return thereof, five shillings.

Serving writ of possession, twenty shillings; travel, four pence per mile, for every mile from the place of residence of the sheriff, to the place where he shall serve any writ; and two pence per mile, and no more, for every mile from the place of residence of the sheriff to the court house, where such writ is returnable; provided such court be out of his bailwick, and not otherwise.

For taking of bail, and drawing bail bond, in all cases when the sum, indorsed on the writ, shall be under the sum of twenty-five pounds, five shillings; and in all cases where the sum, endorsed, shall exceed twenty-five pounds, seven shillings and six pence.

Summoning jury, in each cause, when the cause shall be tried, and attending such trial, five shillings.

On execution, or attachment, when a sale shall take place, extended on personal property, sale, and payment of the monies received to the plaintiff or his attorney, as follows, viz:

For any sum not exceeding one hundred pounds, one shilling in the pound; and all above one hundred pounds, six pence in the pound.

On execution extended on real estates, three pence in the pound, on the appraised value for laying the same thereon; and for the sale of such real estate, and payment of the proceeds of such sale to the plaintiff or his attorney, the further fee of three pence in the pound.

For summoning a jury to lay out a new road, ten shillings, and two shillings and six pence per day for himself, and each juror, for every day they shall be actually employed in laying out such road, and three pence per mile for the sheriff, and the same for each juror, every mile they may necessarily travel about such service.

II. And be it also enacted, that the district of Yarmouth, the district of Colchester, and the district of Pictou, are, with respect to the fees for travel of writs issuing out of the supreme court, or the court of common pleas, held in the towns of Shelburne or of Halifax, to be considered as separate and distinct from the county of Halifax and Shelburne, and the sheriffs of the county of Shelburne, and the county of Halifax, are to receive only such fees for writs served in the said districts, as they would be entitled to receive in case the said districts were out of their bailiwicks.

III. And be it further enacted, that this act, and the several matters and things therein contained, shall be, and continue, in full force, until the first day of July, which will be in the year of our Lord one thousand eight hundred and one, and no longer.