

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of February, Anno Domini, 1800, and continued by several Prorogations to Thursday the Twenty-Eighth day of November, 1805; in the Forty-sixth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great-Britain, and Ireland, King, Defender of the Faith, &c. being the Sixth Session of the Eighth General Assembly, convened in the said Province.

46 George III – Chapter 13

An Act for establishing a Circuit Court in the County of Lunenburg, and District of Pictou, and for amending the several Acts now in force relative to the Circuit Courts.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that a sessions of the supreme court shall be held annually at Lunenburg, in the county of Lunenburg, on the second Tuesday of August; and at Pictou, in the district of Pictou, on the second Tuesday in June, and shall not sit longer at either place than five days.

II. And be it further enacted, that the circuit courts in the counties of Hants, King's county, Annapolis and Cumberland, and in the district of Colchester, shall, in future, be held on the respective days following, that is to say – at Windsor on the third Tuesday next after the sitting at Horton; at Truro on the first Tuesday of June; and at Amherst, in the county of Cumberland, on the third Tuesday in June; any law, usage or custom, to the contrary notwithstanding.

III. And be it further enacted, that, from and after the passing of this act, the inferior courts of common pleas, and general sessions of the peace, for the said districts of Colchester and Pictou, shall respectfully hold their second sittings in each year, upon the day after the adjournment of the supreme court; and that the inferior court of common pleas, and general sessions of the peace, for the county of Cumberland, shall hold their first sittings in every year, upon the day after the adjournment of the supreme court at Amherst; and that the grand and petit juries returned for the supreme court in the districts and county aforesaid, shall respectively serve for the said inferior courts of common pleas, and general sessions of the peace, for the districts and county aforesaid, in like manner as if they had been summoned for the same; and that such writs as may have been, or shall be, issued, returnable to any of the said courts, shall be returned on the respective days herein before appointed for the sitting of such courts; and all such writs, hereafter to be issued, shall be made returnable on the first day of such sittings respectively, and the parties shall be bound to appear in court accordingly.

IV. And be it further enacted, that the chief justice, and assistant justices, of His Majesty's supreme court, who shall travel and serve on any of the circuit courts, shall be severally allowed one pound three shillings and four pence, per day, for their travelling expences, to commence on the day of leaving their respective homes, or places of abode, and to end four

days after the adjournment of the court at the last place where the sittings shall be held in the spring, August and Autumn, circuits respectively.

V. And be it further enacted, that in the absence of the chief justice, the supreme courts in each and every of the counties and districts in which they may by law sit, may be held by one of the assistant justices of the said court, and such person or persons being a justice of the common pleas, or of the profession of the law, as the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, may, by advice of council, associate and commission, from time to time, for that purpose, any law, usage or custom, to the contrary notwithstanding.