

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Eighteenth day of November, 1806, and continued by several prorogations to Thursday the Ninth day of November, 1809, in the Fiftieth 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. &c. being the Sixth Session of the Ninth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.*

50 George III – Chapter 15 (Session 2)

**An Act to alter and extend the times of holding the Supreme Court in several of the Counties and Districts in this Province; and for declaring the qualifications of persons hereafter to be appointed Justices of the said Court, their number, and salaries.**

Whereas it has been found that the time limited by law for the sitting of the supreme court, in the counties of Annapolis, King's County, and Cumberland, and also in the districts of Colchester and Pictou, is not sufficient to enable the said court to finish the business of the said counties and districts, whereby great delays of justice are occasioned, to the injury of suitors in the said court; for remedy whereof:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the said supreme court shall be hereafter held at Pictou, in the district of Pictou, on the last Tuesday of May; and at Truro, in the district of Colchester, on the Thursday next, after the first Tuesday of June; and at Amherst, in the County of Cumberland, on the third Tuesday of June; at Windsor, in the County of Hants, on the second Tuesday of September; at Horton, in King's County, on the third Tuesday of September; and at Annapolis, in the county of Annapolis, on the second Thursday after the said third Tuesday of September in each year.

II. And be it further enacted, that the said court shall not sit at any of the said places longer than the period of eight days in any one session.

III. And be it further enacted, that the said supreme court shall be held in each of the said counties and districts by two assistant justices of the said court, in the absence of the chief justice, and in no other way or manner whatsoever.

IV. Provided always, and be it further enacted, that if, at any time, after the assistant justices of the said court, shall have commenced any of the said circuits, it shall happen that any one of the said justices by reason of sickness or unavoidable accident, shall be prevented from attending at any of the said courts, on the days when the same are herein directed to be held, it shall and may be lawful for the other justice to hold the said court, and to proceed in hearing and determining all matters therein depending, any thing herein before contained to the contrary notwithstanding.

V. And be it further enacted, that all writs, process, recognizances and complaints, which are, or shall be made, returnable to the said court at its next sittings, in the said counties or districts respectively, shall be returned on the days herein appointed for such respective sittings of the said court, and all parties and persons who are bound or summoned, or who ought to appear at the said courts, or any of them, at the next sittings thereof, in any of the said counties or districts, shall be held and obliged to appear at such court, at the days and times on which such sittings respectively are hereby directed to be held.

And whereas the extending the terms of sittings of the said court in several counties and districts will render it necessary to make provision for the appointment of one other assistant justice of the said court; and, whereas, their present salary is inadequate to their honorable support:

VI. Be it enacted, that it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief, for the time being, to appoint one other assistant justice of the said court, in addition to those already appointed.

VII. And be it further enacted, that no person shall hereafter be appointed an assistant justice of the said court, unless he shall have been regularly sworn and admitted an attorney of the said court ten years prior to such appointment, and shall have been in the practice of his profession, of an attorney and counsel in the said court, at least five years next before the said appointment.

VIII. And be it further enacted, that it shall not be lawful for any assistant justice of the said court, to hold, possess or enjoy, any other office, post, place, appointment, or situation, except the office of master in chancery, or that of a member of His Majesty's council of this province, or accept, receive, or take any salary, fees or emoluments, for, or in respect of any office, post, place, appointment, or situation, other than the salary provided by this act, and such other fees and emoluments, as appertain to the said offices and situations herein before named.

Provided always, that nothing herein contained shall prevent either of the present appointed justices of the said court from holding any office they may have been in possession of before the passing of this act.

IX. And be it further enacted, that instead of the sum of four hundred pounds heretofore allowed, that the sum of five hundred pounds be granted, established and paid, as the yearly salary of each of the three assistant justices of the said court, in addition to the allowance of travel already provided.

Provided always, that nothing herein contained shall extend, or be construed to extend, to prevent the appointment of the assistant justices, and the payment of their salaries by the

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annual grant of parliament for Nova Scotia, or otherwise by his Majesty's special warrant or authority.