

Excise Duty
remitted to
Clarke Sand-
ford, and En-
comb Sandford.

Excise Duty
remitted to
William Pol-
luck.

35l. John
M'Keen.

Monies low
drawn from the
Treasury.

Sections of the
Act 41st. Geo.
III. continued.

Hants, be, and he is hereby authorized, to remit the amount of the Duty secured, by Clarke Sanford, and Encomb Sanford, junior, on a certain cargo of Plaister of Paris, shipped by them on board the schooner Sally & Ann, at Windsor for Passamaquoddie, and which Plaister of Paris was totally lost, together with the said vessel, at the entrance of the harbour of St. John, New-Brunswick, on the third day of December last.

VIII. *And be it further enacted*, That the Collector of Impost and Excise for the District of Colchester, be authorized to remit the Duty secured by William Polluck, on a certain quantity of Plaister of Paris shipped by him on the schooner Sukey, at the River Shubenaccadie, for Passamaquoddie, and which Plaister was totally lost, together with the said vessel, in the Bay of Passamaquoddie, about the first day of December last.

IX. *And be it further enacted*, That his Excellency the Lieutenant Governor, be, and he is hereby authorized to pay out of the Monies granted for the repairs of the great road leading to Truro, the sum of 35l. to John M'Keen, as a compensation for the Land occupied by the alteration of the great road through his improvements, which alteration was made under the direction of Robert Berry, when Supervisor for the road, *provided*, that the said M'Keen shall release to the public his right to the said Road.

X. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by Warrant on the Treasury from time to time for all such sums of money as may become due and payable by virtue of the several Laws now in force for the establishing of Schools in the Province.

XI. *And be it further enacted*, That the ninth, twelfth, fifteenth, sixteenth, eighteenth and nineteenth. sections or clauses of the Act made and passed in the forty-first year of His Majesty's Reign, entitled, "An Act for applying certain Monies therein mentioned for the service of the year of our Lord one thousand eight hundred and one, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province," shall be and continue in full force and virtue, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, in as full and ample a manner as the same clauses would be, were the same again here repeated word for word.

CAP. II.

An ACT to alter and extend the times of holding the Supreme Court in the several Counties and Districts of this Province.

Preamble

WHEREAS it has been found necessary to extend the Circuits of the Supreme Court to the several Districts and Counties in this Province in which the Supreme Court does not now set; and whereas it is requisite to alter the times of holding the said Court in the several Counties and Districts in which it does now set, and also to increase the sittings of the said Court in some of them:

Supreme Court
—when and
where held.

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; at Truro, in the District of Colchester, on the first Tuesday of June; at some suitable place near the bridge at Duncan's, on the River Philip, in the County of Cumberland, on the second Tuesday of June; at Lunenburg, in the County of Lunenburg, on the last Tuesday of June; at

at Liverpool, in the County of Queen's, on the first Tuesday of July ; and at Shelburne, in the County of Shelburne, on the second Tuesday of July ; and also at Windsor, in the County of Hants, on the last Tuesday in May ; at Horton, in the County of King's, on the first Tuesday in June ; and at Annapolis, in the County of Annapolis, on the second Tuesday of June ; and also at Antigonishe, in the County of Sydney, on the first Tuesday of September ; at Pictou, in the District of Pictou, on the second Tuesday of September ; and at Truro, in the District of Colchester, on the third Tuesday of September, and also at Annapolis, in the County of Annapolis, on the second Tuesday of September ; at Horton, in the County of King's, on the third Tuesday of September ; and at Windsor, in the County of Hants, on the fourth Tuesday of September.

II. *And be it further enacted*, That the said Court shall not set for more than five days at each and every of the beforementioned places, excepting at Antigonishe, in the County of Sydney, where the said Court shall not set for more than four days.

Length of sittings at each place.

III. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, to appoint one fit and proper person who 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 as an Attorney and Counsel in the said Court at least five years next before the said appointment as an Associate Circuit Judge of the said Court, who, in the absence of the Chief Justice, shall be competent with any one of the Judges of the said Court, to hold the same in all and every the Counties and Districts aforesaid. *Provided always*, that it shall not be lawful for the person so appointed Circuit Judge of the said Court to practice, in any of the Courts of Law or Equity in this Province, nor to accept, receive or hold, together with his appointment under this Act, any office, place or situation, other than that of Master in Chancery, or a Member of His Majesty's Council, nor shall it be lawful for him to hold a seat in the House of Assembly in this Province.

Appointment of an Associate Judge, his duties, &c.

IV. *And be it further enacted*, That the person so appointed shall, when invested with the said Office, be competent to the exercise of all the duties of an Assistant Judge of the said Supreme Court, while engaged on the said Circuits, in the said Counties and Districts, and not otherwise. *Provided also*, That nothing herein contained shall be construed to empower the person so to be commissioned to perform any of the functions of a Judge or Assistant Justice of the Supreme Court at Halifax.

Power of Associate Judge.

V. *And be it further enacted*, That there shall be granted, established and paid, as the yearly salary of such Circuit Judge, the sum of four hundred pounds, in addition to the allowance of travel already provided for the Judges of the said Court.

Salary of Associate Judge.

VI. *And be it further enacted*, That the same proceedings shall be had in all causes already commenced in the said Courts, in the several Counties and Districts, as if the sitting of the said Courts had not been altered. *Provided*, the usual rules and notices shall be given to the Parties or their Attornies. *And provided also*, that four days notice of the sitting of the Court to which Process is returnable, shall be served on the parties.

Causes pending in any of the Circuit Courts.

VII. *And be it further enacted*, That all Sheriffs, Jurors, Constables, and other Officers, shall be bound to attend the said Courts at the times and places named in this Act.

Sheriffs, Jurors, &c.

VIII. *And provided also, and be it further enacted*, That if at any time after the Assistant Justices of the said Court, and the said Associate Judge shall have commenced any of the said Circuits, it shall happen that any one of the said Justices, or the said Associate Judge, by reason of sickness, or unavoidable accident, shall be prevented from attending at any of the

Sickness of a Judge going the Circuit.

said Courts on the days when the same are herein directed to be held; it shall and may be lawful for the other Justice or the said Associate Judge to hold the said Court, and to proceed in hearing and determining all matters therein depending; any thing herein contained to the contrary notwithstanding.

CAP. III.

An ACT to enable the Inhabitants of the Town of Halifax to Pave Water-street, in the same Town.

Preamble.

WHEREAS, the Inhabitants of the Town of Halifax, are desirous to pave Water-street, in the said Town; and to enable them to carry so desirable an object into effect:

Pavement commenced at Market Slip.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Commissioners of Highways to cause the said street to be paved; and they shall commence the pavement thereof in front of the Market Slip, and proceed from thence both north and south, so that an equal space, as nearly as conveniently can, be paved in each direction from the said Slip.

Removal of obstructions.

II. *Be it further enacted, by the authority aforesaid,* That it shall and may be lawful for the said Commissioners, or any three of them, upon reasonable notice, to cause all sign-posts, show-glasses, show-boards, porches, steps, fences, cellar doors, and all and every other material, matter or thing, belonging to any house, warehouse, shop, cellar and building, or to any lot of ground or inclosure, which occasion any nuisance, encroachment or obstruction, to be immediately removed.

The erection of Porches, Sign-Posts, &c. not allowed.

III. *Be it further enacted,* That it shall not be lawful for any sign-post, show-glass, show-board, porch, step, fence, cellar door, or any other material, matter or thing, belonging to any house, warehouse, shop, cellar or building, or to any lot of ground or inclosure, hereafter to be raised, placed or put as aforesaid; and upon the same, or any of them, being at any time hereafter to raised or placed, the said Commissioners, or any three of them, shall immediately thereupon cause the same to be removed.

Water-Street--how to be paved.

IV. *And be it further enacted,* That the said street shall be paved in the middle; and the foot walks on each side shall be made either of brick or flag stone; and that, wherever the wideness of the street will admit, the paved part shall be forty feet wide, so that there may be sufficient room for the passing of horses and carriages; and the foot-way shall in every case be four feet wide.

Regulations for the preservation of the side walks.

V. *And be it further enacted,* That the Justices of the Peace, in any General or Special Sessions to be held at Halifax, shall make rules and regulations to prevent Truckmen, and other persons, from riding or driving over the foot-way, with horses or carriages, and to enforce the same.

The expence of the side walks --how defrayed.

VI. *And be it further enacted,* That the foot-way on each side of the said street shall be made at the expence of the Proprietors of the Lands it shall adjoin, and be in front of; and that the said Commissioners may sue for, and recover, the expence incurred in making the same, before the Justices of the Rotation Court, with costs, in the same manner that debts are sued for, and recovered. *Provided always,* That if the Proprietor of any Lands shall be disposed to make such foot-way himself, it shall be lawful for him to do it, under the direction of the said Commissioners, or of the Overseer appointed by them.

VII. *And*