

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Eighth day of February, 1816, in the Fifty-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. &c. being the Sixth Session of the Tenth 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.

56 George III – Chapter 2

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

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 times of holding the said Court in the several counties and districts in which it does now set, and also to increase the settings of the said Court in some of them:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the said Supreme Court shall be hereafter held at Pictou, on the last 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 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 [Antigonish], 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 give 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.

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, not shall it be lawful for him to hold a seat in the House of Assembly in this Province.

IV. And be it further enacted, that the person so appointed shall, when invested with the said office, be competent to the exercise of 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.

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.

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.

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.

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 commended 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 said courts on the days when the same are herein directed to be hold; It shall and may be lawful for the other justice or the said associate judge to hold the said court, and a proceed in hearing and determining all matters therein depending, any thing herein contained to the contrary notwithstanding.