

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 Thirteenth day of February, 1817, in the Fifty-Seventh 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 Seventh Session of the Tenth General Assembly, convened in the said Province.

57 George III – Chapter 3

An Act for the Importation of certain kinds of Grain, Flour and Meal, and for furnishing the same to such settlers within the Province as are in indigent circumstances, owing to the failure of Crops.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that it shall and may be lawful for the Lieutenant-Governor, immediately after the publication hereof, by and with the advice and consent of His Majesty's Council, to appoint such person or persons, as he may judge proper, a commissioner or commissioners, for the purpose of procuring and importing into this province, rye, barley, Indian corn, fine and coarse flour, and meal, not exceeding in value the sum of eight thousand pounds.

II. And be it further enacted, that the said rye, barley, Indian corn, fine and coarse flour, and meal, so to be imported as aforesaid, shall be distributed to the several counties and districts, in manner following, that is to say:

To the county of Sydney, to the value of one thousand two hundred pounds.

To the district of Pictou, to the value of one thousand five hundred pounds.

To the district of Colchester, to the value of six hundred pounds; and to that part of the county of Halifax, not included in the said district, to the value of seven hundred pounds.

To the county of Cumberland, to the value of six hundred pounds.

To the county of Hants, to the value of eight hundred pounds.

To the county of King's County, to the value of six hundred and fifty pounds.

To the county of Annapolis, to the value of eight hundred pounds.

To the county of Shelburne, and to the districts of Yarmouth and Argyle, to the value of five hundred pounds.

To the county of Queen's County, to the value of three hundred and fifty pounds.

And to the county of Lunenburg, to the value of three hundred pounds.

III. And be it further enacted, that the said articles shall be landed in the several counties and districts, in such ports and places, and in such proportions, as such commissioner or commissioners shall order and direct.

IV. And be it further enacted, that it shall and may be lawful for the justices of the peace, in the several counties and districts of this province, at any time after the passing of this Act, and before the arrival of any of the said articles, to hold a special session of the peace, for the purpose of ascertaining the wants of the inhabitants of the said counties, and districts respectively; and also for procuring store-houses for such articles on their arrival; and making such rules and regulations for the distribution thereof, as may appear to the said justices, best calculated to afford relief to such indigent settlers, in said counties and districts, as may require the same.

V. And be it further enacted, that each and every such person, making application for any of the said articles, who shall, in the opinion of the said justices, be of ability to make immediate payment for the same, shall be required to make such payment, and, in case of non-compliance, it shall be in the power of the said justices to refuse such application, and each and every person, applying as aforesaid, who the said Justices shall consider is not in circumstances to make such payment, shall nevertheless receive the proportion of the said articles which may be allowed by the said justices, upon such person giving his or her note for payment of the amount of the same, which note shall be made payable to the treasurer of the county or district, within six months after the time of giving his or her note for payment of the amount of the same, which note shall be made payable to the treasurer of the county or district, within six months after the time of giving the same. Provided always, that no one person shall receive any of the said articles to more than the value of five pounds.

VI. And be it further enacted, that the whole of the said articles, which shall be furnished and supplied as aforesaid, shall be sold and furnished at the first cost of each and every such article, adding thereto the charges on the same, and at no other or greater price whatsoever.

VII. And be it further enacted, that immediately after the expiration of the times severally limited in the said notes for payment thereof, the said treasurer shall proceed to collect the sums due thereon, and shall, from time to time, and as often as he shall receive any such sums, pay over the same to the treasurer of the province.

VIII. And be it further enacted, that the said county or district treasurer, shall in all things be under the control and direction of the said justices of the sessions, and shall keep, and render to them, when required, a list of the names of the persons who have given such notes, specifying also the several dates thereof, and the sums severally secured thereby, and shall also, from time to time, and as often as he shall be required by the said justices, render

to them a true and faithful account or statement, upon oath, of the sums by him collected and paid over as aforesaid.

IX. And be it further enacted, that if, upon the final return or statement of the said treasurer, which shall be made as aforesaid, it shall be shewn to the satisfaction of the said justices, that the whole of the sums contained in the said notes which could be collected, has been received and paid over as aforesaid, and it shall appear that, owing to the bad debts or otherwise, the whole amount so collected and paid over, is deficient of the sum allotted by this Act to such county or district, such deficiency, if the same does not exceed the proportion of twenty-five pounds in the hundred pounds, shall be borne by the province; but if the said deficiency shall exceed such proportion, then the same exceeding such proportion, shall be borne by and made good by the such county or district; and the justices in sessions in such county or district, are hereby empowered to cause an assessment to be made upon the said county or district, for making good the deficiency over and above the said proportion: which assessment shall be made, and the monies levied and collected, in the same manner in which other county and district rates are assessed, levied and collected, and the monies arising and collected from such assessments shall be paid into the hands of the treasurer of such county or district, who shall pay over the same to the treasurer of the province for the purpose of making good the deficiency aforesaid.

X. And be it further enacted, that the treasurer of each county or district, before entering upon any of the duties required of him by this act, shall enter into an obligation, with securities to the satisfaction of the said justices in sessions, for the faithful performance of the said duties: which obligation shall be lodged with the custos rotulorum in each such county or district.

XI. And be it further enacted, that each and every such county or district treasurer shall be entitled to receive, for the services by him performed under this Act, a compensation of two pounds ten shillings in the hundred pounds upon the whole sum by him collected and paid to the treasurer of the province; the amount of which compensation it shall be lawful for him to deduct and retain from the sum collected and received by him as aforesaid.

XII. And be it further enacted, that every action or suit, which may be instituted for the recovery of any sum or sums of money due upon any of the said notes, shall be commenced and prosecuted before any two justices of the peace of the county or district within which the person or persons, who may stand indebted upon any such note shall reside, and in no other manner whatsoever, subject however to an appeal, such as is allowed in cases of the like nature and amount.

XIII. And be it further enacted, that on the neglect or refusal of the justices in sessions in any county or district, to cause any assessment to be made for the purpose of making good any deficiency which may arise as aforesaid, the justices of His Majesty's Supreme Court, in any of their sittings in such county or district in the sum which shall be necessary for making up the said deficiency: which said sum shall be equally assessed on the inhabitants of such

county or district, according to their ability, and when collected shall be paid into the hands of the treasurer of the said county or district, to be by him paid over to the treasurer of the province, for the purpose aforesaid; and the said justices of the Supreme Court are hereby authorised and empowered to appoint three assessors in each township within the said county or district, for the assessing the money aforesaid and also to appoint a collector or collectors in each such townships, for collecting the monies which shall be so assessed.

XIV. And be it further enacted, that each and every person appointed an assessor or collector as aforesaid, who shall neglect or refuse to take upon him any such situation, and to serve therein, shall forfeit and pay the sum of five pounds, to be levied, on default of payment, by warrant of distress and sale of the goods of such person, under the hand and seal of any two of His Majesty's justices of the peace for the county or district wherein such person shall or may be appointed, returning the overplus, if any there be, to the owner or owners of the goods which may be distrained and sold as aforesaid; and such fine shall be paid to the treasurer of the county or district, for the use of such county or district.

XV. And be it further enacted, that in case it shall so happen that the said articles or any part of them, landed in any county or district, shall not be disposed of for the relief of the indigent settlers in the said county or district, the quantity which shall remain so undisposed of, shall be sold by the treasurer of the said county or district, at public auction, to the highest bidder, in such small lots as the justices in their said sessions may direct, and the proceeds thereof remitted by him to the treasurer of the province.