

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 Fifth day of February 1818, in the Fifty-Eighth 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 Eighth Session of the Tenth General Assembly, convened in the said Province.

58 George III – Chapter 17

An Act in addition to, and amendment of, an Act passed in the forty-first year of His Majesty's Reign, entitled, "An Act for the repairing, keeping in repair, cleaning and paving the Streets, in the Town and Peninsula of Halifax, and for removing obstructions therein;" and also, to suspend the power and authority vested in the Surveyors of Highways, within the Town and Peninsula of Halifax, after the first day of August next, during the operation of this Act.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that when and so often as the commissioners shall have proceeded, as directed by the eighth section of the said act, to ascertain the line of any street or highway, within the town of Halifax, for any person or persons about to erect any building thereon, and the person or persons about to build shall be dissatisfied with the line pointed out by the said commissioners, it shall and may be lawful for the chief justice, or any other judge of the Supreme Court, in term time, or during vacation, upon the application of the commissioners, or the person or persons so dissatisfied, to issue a precept to the sheriff of the county of Halifax, or his deputy, to summon a jury of the freeholders of the said town of Halifax, nowise interested in establishing or altering the line of the said street, to meet at some convenient day therein mentioned, to view and lay out the line of such street, or lane, or highway, who shall have an oath administered to them, by the judge who shall issue the precept, well and truly to lay out, and fix, the line of such street, lane or highway, according to the best of their skill, and judgement, and the witnesses, if any shall be offered by either party, shall be sworn before the said judge, and if the jurors, or either of the parties shall require it, a new survey shall be made of the line of such street, lane or highway, which being done, the sheriff or his deputy shall make a return forthwith, under the hands of himself and the jurors, to the judge, who having approved and confirmed the same, shall direct the said return to be filed in the office of the prothonotary of the Supreme Court, and an exemplification thereof to be deposited in the office of the surveyor general. Provided always, that if the said judge shall not approve and confirm the said return, a new precept may be issued, for the purposes aforesaid, and the said judge shall direct by whom the costs and expenses of the said proceedings shall be paid, which said costs and expenses shall be taxed, and shall in no case exceed ten pounds.