

CAP. X.

An ACT for appointing Clerks to the Supreme Court, and Inferior Courts of Common Pleas in the several Counties and Districts within this Province.

WHEREAS, by Patent, bearing date the 29th day of May, in the year one thousand seven hundred and eighty seven, His present Majesty was pleased to appoint a Clerk of the Crown and Prothonotary for the Province of Nova-Scotia, whereby the Patentee was to have, hold, exercise and enjoy, the said Offices during His Majesty's pleasure and his residence within the said Province; and whereas the said Patentee, for several years past, has been absent from this Province, and yet is absent and resident without the same, and it is therefore expedient to provide Clerks for the several Courts within this Province, pursuant to the practice of the said Courts, before the issuing of the said Letters Patent:

Preamble.

I. BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Chief-Justice of this Province, by any instrument under his hand and seal, to appoint such person as he may judge fit and proper to be Clerk to the Supreme Court, and Inferior Courts of Common Pleas, in each and every County and District in this Province, who shall hold their several appointments during good behaviour and residence in the respective Counties. *Provided always*, That the persons so appointed Clerks of the Supreme and Inferior Courts of Common Pleas, respectively, shall be resident within the several Counties and Districts for which they shall be severally appointed. *And provided also*, That it shall not be lawful for any person appointed to the said Offices, to practice as an Attorney in any Court of Law within this Province, or to the Clerk of any such Attorney.

Appointment of Clerks of Supreme and Inferior Courts.

II. *And be it further enacted*, That all Writs issued out of the said Supreme Court, signed and sealed by any Clerk of the said Courts so appointed as aforesaid, shall and may be served and executed by the Sheriff or other Officer, of any County within the Province to whom the same may be directed, and such Clerk, or Clerks, respectively, shall be authorised and required to do and perform all the duties in the said Courts respectively, which were heretofore done and performed previous to the issuing of the said Patent, and shall take no other or greater fees than are authorised by the Act of the Province, passed in the twenty-eighth year of His present Majesty's Reign, entitled, An Act for the establishment of fees, as regulated by the Governor and Council at the request of the House of Assembly.

Writs signed by Clerks.

Clerks' Fees.

III. *And be it further enacted*, That nothing herein contained shall be of any force or effect, until His Majesty's pleasure shall be known herein.

His Majesty's assent required.