

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday, the Eighth day of January, 1824, in the Fourth year of the Reign of our Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Fourth Session of the Twelfth General Assembly, convened in the said Province.*

4 George IV – Chapter 38

**An Act to make further Provision for the Equal Administration of Justice in the Province of Nova-Scotia.**

Whereas, it is deemed expedient to make some further provision for the administration of justice in the courts of common pleas and general sessions of the peace within the province:

- I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, that the counties and districts of the province of Nova-Scotia, excepting the county of Cape-Breton, and the district of Halifax proper, be divided into three divisions: the county of Sydney, the districts of Pictou and Colchester, and the county of Cumberland, to form the eastern division; the county of Hants, King's County, the county of Lunenburg and Queen's county, to form the middle division; the county of Annapolis and the county of Shelburne, with their respective districts, to form the western division; and 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 for each division, who shall have been regularly admitted and enrolled as an attorney of His Majesty's supreme court of this province, and who shall have practiced in his profession for at least ten years after such admission, to be first justice of the inferior court of common pleas, and president or first justice of the court of sessions, held, or to be hereafter held, in each division, aforesaid.
- II. And be it further enacted, that the person so appointed for each division as aforesaid, shall preside as the first justice in all and every of the sittings of the said inferior court of common pleas and courts of general sessions of the peace, within and for the respective division to which he shall be so appointed.
- III. And be it further enacted, by the authority aforesaid, that there shall be allowed and paid, annually, for the salary of each of the persons who may be appointed under this act, the sum of four hundred pounds.
- IV. And be it also enacted, that in addition to the aforesaid salary of four hundred pounds, there shall be paid to each of the persons appointed as aforesaid, the sum of twenty shillings per day, for travel, for each day he shall be actually employed in travelling in the discharge of the duties of the said office, and not otherwise. And provided also, that the whole amount thereof shall never exceed fifty pounds, to each person, in any one year.

V. And be it further enacted, that it shall not be lawful for any person who shall be appointed to the said office of first justice of the said courts of common pleas, nor for any person now appointed, or who may be appointed, first justice of the courts of common pleas for the county of Cape-Breton, to have a seat in the house of assembly, or to be elected to sit therein, nor shall they or any of them vote at or interfere in any election.

VI. And be it further enacted, that no fees whatever, other than the travelling fees herein before mentioned, shall be payable or paid to any judge so appointed, under this act, but that the fees heretofore payable to those judges of the said courts, who now act as first justices thereof, shall continue payable, and be paid to them, so long as they shall attend the said courts; and that no person so appointed under this act, shall practice as an attorney, solicitor or proctor, in any court of law or equity within the province, nor shall he hold any other place, appointment or situation, of profit, under government.

VII. And be it further enacted, by the authority aforesaid, that in case a vacancy shall happen in the office of associate circuit judge of the supreme court, it shall not be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, to appoint any other person in the said office, until after the sitting of the assembly which shall meet and be held next after the happening of such vacancy.

VIII. And be it further enacted, that each person to be appointed under this act shall reside within the district to which he shall be so appointed.