

Halifax. And the said appraisers, or a majority of them, shall make a just and equitable estimate and appraisal of the loss and damage of the respective owner or owners, or parties interested in the lands, rights, property or premises, so entered upon, injured or pretended or alleged to be injured or impaired, by the said Company, and shall certify and return their determination and award in writing, under their hands, or the hands of the major part of them, touching all such damage, loss and injury, of whatsoever nature it be, into the office of the said Prothonotary of the Supreme Court at Halifax. Whereupon, if the said Court shall be of opinion, that the said award hath been fairly, equitably and impartially made, and if no good and sufficient cause shall be shewn, against such award and determination, the said Court shall allow and confirm the same. And thereupon, the said Company shall, within such time as the Court shall appoint, pay and satisfy into the said Court, or unto the person or persons whom the Court shall find entitled to receive the same, the amount so awarded, together with such costs and expenses as shall be adjudged against the Company in that behalf. And the payment of the amount so awarded, and Costs, shall forever discharge the said Company, their Servants and all persons acting for the said Company, from, and be a bar to, all actions, suits, claims and demands whatsoever, for or in respect of such trespass, damage, loss or injury done, committed, suffered or sustained, by the means aforesaid.

Decision of Judges
of Supreme Court
final in cases of
disputed damage

XIII. *And be it further enacted*, That the said Judges, and also the said Supreme Court, shall have, with respect to the proceedings touching such appraisement and estimate of damages, by the means aforesaid, and with respect to the taxation and allowance of costs to or against the parties, all necessary discretion, powers and authority, and shall and may inquire into the proceedings, by the oath of witnesses, or otherwise; and shall and may also, on good cause shewn, set aside any such award and appraisement, and either direct the parties' appraisers again to view, estimate and decide upon, the injuries and damages complained of, or otherwise if the Court shall think it expedient, the said Court shall and may nominate other appraisers; and make an order for their making a new appraisement and valuation of the damages arising from the injury complained of; and the appraisers, so nominated, shall be sworn as aforesaid, and the award and appraisement so by them, or the major part of them, made and returned in writing, when confirmed and approved of by the Court, shall be final between the parties, and may be carried into effect as aforesaid. *Provided always, and be it further enacted*, that the award made on the second appraisement shall be final and conclusive to all intents whatsoever.

CAP. XVIII.

An Act concerning Elections in the County of Cumberland.

Poll to be held
at River Philip

Wallace

Amherst

BE it enacted by the Lieutenant-Governor, Council and Assembly, That hereafter, at any Election to be held in and for the County of Cumberland, for members to serve in the General Assembly, the Sheriff or other officer shall open the Poll at the Court House at the River Philip, and shall continue the same for one day, or until all the Electors then and there present have been polled; and shall then adjourn or remove the Poll to Wallace, at or near the Meeting House in that Township, where it shall be held for the space of two days, or until all the Electors then and there present be polled; and shall then adjourn or remove the Poll to Amherst, at or near where the old Court House now stands, and shall there continue the same for three days, or until all the Electors then and there present be polled, due application for such removal having been made according to law.

II. *And be it further enacted*, That, upon application for the removal or adjournment

ment of the Poll to Wallace, as aforesaid, instead of giving notice that the same shall be there opened, on the eighth day from the first opening of the Poll, as is directed by the second section of the Act, made in the fourth and fifth years of His present Majesty's Reign, entitled, An Act in addition to, and amendment of, an Act, made and passed in the fifty-seventh year of His late Majesty's Reign, entitled, An Act for regulating Elections of Representatives to serve in General Assembly; the Sheriff or other officer holding such Poll, shall give notice that he will, on the fourth day after such first opening of the Poll inclusive, continue the same at Wallace as aforesaid, and in case of a second removal to Amherst as aforesaid, shall give notice that he will so continue the same at Amherst on the fifth day inclusive, after the first day of its being opened at Wallace as aforesaid.

Time of opening
Poll at Wallace

III. *And be it further enacted,* That an Act, made and passed in the fifty-eighth year of the Reign of His late Majesty King George the Third, entitled, An Act to alter and amend An Act, passed in the last Sessions of the General Assembly, entitled, An Act for regulating Elections of Representatives to serve in General Assembly, shall be, and the same is hereby wholly repealed.

Act of 58th Geo.
III. repealed

CAP. XIX.

An Act to continue the Acts for the regulation of the Militia.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That An Act, made and passed in the first year of his present Majesty's Reign, entitled, An Act to provide for the greater security of this Province, by a better regulation of the Militia, and to repeal the Militia Laws now in force; and also the several Acts, made and passed in the fourth and seventh years of His Majesty's Reign, in alteration and continuation of the said first mentioned Act, and every matter, clause and thing, in the said several Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

Act 1st 4th, and 7th
Geo IV. continued

CAP. XX.

An Act in addition to the Act, passed in the Second year of his late Majesty's Reign, entitled, An Act for regulating the Exportation of Fish, and the assize of Barrels, Staves, Hoops, Boards, and all other kinds of Lumber; and for appointing Officers to survey the same.

WHEREAS it is expedient further to regulate the making of Barrels for pickled Fish, and to enforce the Inspection thereof:

Preamble

I. *BE it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the first day of January, one thousand eight hundred and twenty eight, every Barrel and half Barrel in which pickled Fish for Exportation are packed, shall be made and constructed of Staves of the thickness of not less than half an inch in every part; and shall have the Bung Stave made of hard wood, and every Barrel and Half Barrel containing pickled Fish, as also the Fish contained therein, which, after the said day shall be offered for sale or exportation, or be shipped for exportation, not being made with Staves of the thickness hereby prescribed, and with the Bung Stave of hard wood, shall be seized and taken as forfeit by any Inspector of Pickled Fish, and be sold, and the proceeds be applied as is by the said Act directed.

Dimensions of
Staves