

there held for three days; and be thence adjourned to some central and convenient place at Brookfield, and be there held for three days; and be thence adjourned to some fit and convenient place at Port Mutton, and be there held for three days.

TOWNSHIP OF LIVERPOOL.

The Poll shall be opened at the Court House in Liverpool, and there be continued for the space of four days; and be thence adjourned to some fit and convenient place at Port Medway, and be there held for two days.

Township of Liverpool

COUNTY OF DIGBY.

The Poll shall be opened at the Court House in Digby, and be there continued for the space of four days; and be thence adjourned to some central and convenient place near the Church at Weymouth, there to be continued for the space of two days; and be thence adjourned to some central and convenient place near the Chapel at Montegan, and be there continued for the space of four days.

County of Digby

TOWNSHIP OF DIGBY.

The Poll shall be opened at the Court House at Digby, and be there continued for the space of four days; and be thence adjourned to some central and convenient place near the Church at Weymouth, and be there continued for two days.

Township of Digby

TOWNSHIP OF LUNENBURG.

The Poll for the Township of Lunenburg, shall be opened at Lunenburg, at the same time as the Poll for the said County, and be there continued open for the space of four days only, unless sooner closed by operation of the Law now in force.

Township of Lunenburg.

II *And be it enacted*, That all such parts or portions of the said Act hereby amended, which relate to the times and places of holding Polls for Elections, for the several Counties and Townships within this Province, hereinbefore specified and enumerated, shall be, and the same are hereby repealed, but all other the provisions and enactments of the said Act, shall extend to any Election for such respective Counties and Townships, in the same manner as if the times and places hereby established for holding the Poll for any such Election had been, and were originally inserted in the said Act hereby amended.

Former Acts repealed

CAP. XXXVI.

An Act in further addition to and amendment of the several Acts now in force concerning Cemeteries or Burial Grounds in the Town of Halifax.

Passed the 29th day of March, 1843.

WHEREAS the Deed contemplated by the Act, passed in the second year of the Reign of Her present Majesty Queen Victoria, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, to be made by the respective Officers of Her Majesty's Ordnance Department at Halifax, to convey to the Commissioners of Public Cemeteries in Halifax, a certain piece of Land bounded on the east by Fort Massey, extending westwardly across the Brook running from the Common to Fresh Water Bridge, has never been executed by such Officers although the conveyance of Land in lieu thereof hath been completed by the said Commissioners, and the respective Officers of Her Majesty's Ordnance Department have taken possession of the same, by virtue thereof, to the use of our Sovereign Lady the Queen, in accordance with the said Act; and it is proper for perfecting the exchange of Lands in the said Act mentioned, and the object of this Act, that the said piece of Land should be conveyed to and vested in, the City of Halifax.

Preamble,

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That it shall and may be lawful for the respective Officers of Her Majesty's Ordnance Department at Halifax, for the time being, by any Deed to be made and executed by such Officers therein particularly to describe, convey and assure, to the Corporation of Halifax, by the name

Respective Officers of Ordnance to convey a certain piece of land, near Fort

Massey to the City of Halifax

name of the City of Halifax, the said piece of land near Fort Massey, in fee simple, in consideration of the land so conveyed by the said Commissioners to Her Majesty as aforesaid; and the same land, near Fort Massey, shall immediately vest in, and be possessed by, the said Corporation, and thereafter be under and subject to the regulation, direction, management, and control of the City Council, to and for the purposes hereinafter mentioned respecting the same.

And whereas the Committee of Cemeteries appointed under the Act to Incorporate the Town of Halifax, have, upon careful examination, ascertained that the said piece of land, near Fort Massey, is not adequate or the most eligible for a general Cemetery for the said City.

And whereas the respective officers of Her Majesty's Ordnance Department are willing to accept an absolute Conveyance of that part of the said land which includes the present Military Burial Ground, with an addition equal to the contents of a road to be taken off the north side thereof, of thirty feet wide, and to erect and sustain the fences around the same, in lieu of a portion of the public Cemetery which by the Acts in force relating to Cemeteries, was directed to be appropriated for the purpose of a burial place for the military.

And whereas the Congregation of Saint Mary's have applied for a part of the said land, as a Cemetery for the exclusive use of the Roman Catholic portion of the citizens of Halifax, and have also agreed to erect and sustain the fences around the same, in lieu of the portion to which they would be entitled in the General Cemetery:

City of Halifax on the Execution of deed from the officers of Ordnance to convey part of the land at Fort Massey to them for a Military burial ground

II. Be it therefore enacted, That when and so soon as such Deed or Conveyance of the said land near Fort Massey, shall have been executed by the respective Officers of Her Majesty's Ordnance Department at Halifax, to the City of Halifax, as aforesaid, it shall and may be lawful for the said City of Halifax, by Deed, signed by the Mayor, under the Seal of the said City, to convey and assure to the principal Officers of Her Majesty's Ordnance Department, in fee simple, the said Military Burial Ground, part of the said land, except such road, and with such addition as aforesaid, for the purpose of a place of Interment or burial for the Military; and which Deed shall effectually in Law convey and assure to the said principal Officers for such use, for ever, the land hereby directed to be conveyed thereby, when and so soon as such Deed shall be accepted and received by the respective Officers of the said Department at Halifax, or some or one of them for such purpose.

Proviso

III. Provided always, and be it enacted, That such conveyance, when accepted and perfected, shall be, and be taken and held to be, a full performance of all the directions contained in the said Acts relating to Cemeteries, and each of them, for the laying off of a portion of the Public Cemetery for the purpose of a place of Burial for the Military, or as and for a just and satisfactory equivalent for such right.

Further proviso

And provided also, That the City of Halifax, or any Commissioners of Cemeteries heretofore in office, or the present, or any future Committee of Cemeteries, or other persons who may have the charge or care of the Public Cemeteries of the said City, shall not be bound or liable to erect or sustain the fences around the land so to be conveyed for a Military Burial Ground, or to contribute to the expense or charge thereof.

City of Halifax to convey to Trustees for the Roman Catholics a piece of land at Fort Massey

IV. And be it enacted, That when and so soon as such Deed or Conveyance of the said land shall have been executed by the respective Officers of Her Majesty's Ordnance Department at Halifax, to the City of Halifax as aforesaid, it shall and may be lawful for the said City of Halifax, by Deed, signed by the Mayor, under the Seal of the said City, to convey and assure to Trustees on behalf of the Roman Catholic population of the said City, for the exclusive purpose of a Cemetery, so much as shall be adequate and satisfactory of the said land lying between the said Military Burial Ground and a certain Brook to the westward running through the said land, not exceeding four and a half acres, so as not at any part to extend westward so far as to reach within thirty feet of the said Brook.

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\* Proviso

Provided always, That the said portion of the land aforesaid so to be assigned to Trustees as aforesaid, shall not be used for any other purpose than as a Cemetery or Burying Ground as aforesaid, and shall be fenced in, ornamented with Trees, and otherwise beautified by Saint Mary's Congregation or the Roman Catholic citizens as aforesaid, at their own expense and charge.

And

*And provided also,* That the said Cemetery shall at all times be open and subject to a general supervision of the Committee of Cemeteries for the said City, and to such rules and regulations as they or the City Council may from time to time make and ordain, to apply generally to all the Cemeteries of the said City; *Provided also,* that a certain Drain, Water Course or Sewer, passing through the said piece of ground, and necessary for draining the land and building grounds lying to the northward thereof, or otherwise contiguous thereto, shall at all times be kept free, open and unobstructed, by the said Trustees and their Successors, at their expense or the expense of the Roman Catholic Congregations of the said City.

V. *And provided always, and be it enacted,* That such Conveyance when accepted and perfected, shall be, and be taken and held to be, a full performance of all the directions contained in the said Acts relating to Cemeteries, and each of them, for the laying off of a portion of the Public Cemetery for the purpose of a place of Burial for the Roman Catholic Congregation of the said City, or as and for a just and satisfactory equivalent for such right: *And provided also,* that the City of Halifax, or any Commissioners of Cemeteries heretofore in office, or the present or any future Committee of Cemeteries, or other persons who may have the charge or care of the Public Cemeteries of the said City, shall not be bound or liable to erect or sustain the fences around the land so to be conveyed for a Roman Catholic Burial Ground, or to contribute to the expense or charge thereof.

VI. *And be it enacted,* That the remainder of the said piece of land near Fort Massey, together with the Brook thereon, so to be conveyed by the said Officers of the Ordnance Department to the City of Halifax as aforesaid, shall remain in the said City of Halifax, under the direction, management, and control of the City Council, to and for the use and benefit of the said City, as part of the Real Estate thereof.

*And whereas,* that part of the Common of Halifax, hereinafter next described, has, after due examination, been selected for the purposes of a general Cemetery or Burial Ground for the use of the Parishes, Congregations, and Citizens of Halifax aforesaid, that is to say—All that piece of Land, bounded as follows, that is to say—beginning at the north-west corner of a piece of land formerly taken from the Common, and laid out into lots known by the name of the Spring Garden Lots, and bounded on the west side by a line running from thence northerly along the east side of a highway, which, at the said place of beginning, lies between the said Common and land of the late Chief Justice Blowers, to a point immediately opposite the north-east corner of the land of the said late Chief Justice Blowers, where the said highway is intersected by a highway leading thence to the North-west Arm, and bounded on the north side by a line running easterly from the last mentioned point, on a course parallel with the rear line of the said Spring Garden lots, until it shall meet or intersect the east side line hereinafter mentioned, of the land hereby now being described, and bounded on the south side by the rear line of the said Spring Garden lots, running from the first mentioned place of beginning to the eastward across one of the Spring Garden roads, and thence along the said rear line to another of the said Spring Garden roads, or the north-east corner of the Spring Garden lot, formerly held by one James Smith, now occupied by one Robert Smith, and bounded on the east side by a line or a course in continuation of the east side line of the last mentioned Spring Garden lot, and paralld with the west side line hereinbefore mentioned, of the land now under description, until it shall meet or intersect the north side line hereinbefore described.

VII. *And be it enacted,* That immediately after the passing of this Act, it shall and may be lawful for the Committee of Cemeteries to take possession of the said last described piece of land; and the same shall thenceforth vest in the City of Halifax, and be and remain in the custody and under the management and control of the City Council, or the Committee of Cemeteries, for the said City, for the time being, in the same manner, for the same purposes, and to the same intent, as if such piece of land had been originally described and inserted in the Act, passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning Cemeteries or Burial Grounds for the Town of Halifax, instead of the piece of land therein described and appropriated for a Public Cemetery; and that the said Act, and all Acts in amendment thereof, or such parts of the same as remain in force, shall continue to be in force, and fully apply to the land

Proviso

The lot conveyed to the Roman Catholics to be an equivalent for any land conveyed to them by former Act

City of Halifax &c not to fence the Roman Catholic Burial Ground

Remainder of the land at Fort Massey to be held by the City

Bounds of the General Cemetery

The General Cemetery to vest in the City and to be under the control of the City Council

Proviso

land now selected and herein appropriated as aforesaid, except as the same shall or may be altered or affected by this Act: *Provided*, that no part of the land herein last described and hereby intended to be set off, appropriated, and used as and for a Public Cemetery, shall be subject or liable to be appropriated, set apart, or used as, or for a Military Burial Ground, or as or for a Roman Catholic Burial Ground, or place of Interment, the said respective Officers of Her Majesty's Ordnance, and the Roman Catholic portion of the citizens of Halifax, having respectively chosen, to have and use the separate allotments for Cemeteries hereinbefore provided, in preference to receiving any appropriation or distinct portion of the said Public Cemetery, for the use of the Military or the Roman Catholics respectively.

A road to be laid off adjoining the east side of the Cemetery.

VIII. *And be it enacted*, That there shall be taken from the said Common, and laid off, a public road or highway, adjoining and along the east side of the said Public Cemetery, or last described piece of land, being of the same width, and in continuation of the Spring Garden road which runs between the said lot formerly occupied by James Smith, and now occupied by one Robert Smith, and the Spring Garden lot, formerly owned by Thomas Wallace, and now used as a vegetable garden, and also as public road or highway adjoining and along the north side of the said Public Cemetery, or last described piece of land, of the same width, and which said roads or highways shall be forever hereafter kept free, open and common, for the use of all Her Majesty's subjects, and subject to all such management, supervision and care, as other highways in or through the said City or the suburbs thereof.

Preamble.

*And whereas*, it is believed that a part of the said highway to be laid out on the north side of the said Public Cemetery will encroach upon that part of the said Common which was heretofore conveyed to the use of Her Majesty, in exchange for the said land near Fort Massey; and the respective Officers of Her Majesty's Ordnance, at Halifax, have agreed that so much thereof as may be required for such highway, may be taken for the purpose of such highway, in consideration that an equal quantity of land shall be taken from the Common and added to the said land of Her Majesty, on the north side thereof.

An equivalent to be given the Ordnance for a piece of Land to be taken from them for the road.

IX. *Be it therefore enacted*, That it shall and may be lawful for the respective Officers of Her Majesty's Ordnance at Halifax, for the time being, or some or one of them, by any Deed or Deeds, under their or his hands and seals, to convey and assure to the City of Halifax, for the purpose of such highway, so much of the said land of Her Majesty off the south side thereof as may be necessary for such highway, and for the said City of Halifax, by Deed, under the hand of the Mayor and seal of the said City, to convey and assure to Her Majesty, or to Her Majesty's principal Officers of Ordnance in Great Britain, so much of the Common of Halifax lying to the north of the said land of Her Majesty as shall, in size and quantity be similar and equal to such part thereof as shall so be conveyed in exchange as aforesaid; and the said Deed shall respectively be and enure in Law as, and for a full and absolute Conveyance, in fee simple, for the respective purposes aforesaid.

## CAP. XXXVII.

An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor.

*Passed the 29th day of March, 1843.*

Preamble.

**W**HEREAS the Inhabitants of the Township of Egerton are desirous that the Albion Mines, and all that part of the Township included within the limits hereinafter mentioned, should be set off as a separate District for the support of the Poor, and the same would be attended with many conveniences and advantages to the said Inhabitants generally:

Township of Egerton to be set off as a separate District

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That all that part of the Township of Egerton lying within the limits following, that is to say—to be bounded on the north by the upper or south line of William Frazer's (Og's) land, on the west by the division

CAP. XXX.

**An Act relating to the Roman Catholic Cemetery in Halifax.**

*(Passed the 31st day of March, A. D. 1849.)*

Preamble.

**W**HEREAS by an Act passed in the Sixth Year of the Reign of Her present Majesty, entitled, An Act in further addition to, and amendment of the several Acts now in force concerning Cemeteries or Burial Grounds in the Town of Halifax, the Corporation of the City of Halifax was authorized to Convey to Trustees on behalf of the Roman Catholic Population of the City aforesaid, a Lot of Land adjoining Fort Massey, for the exclusive purpose of a Cemetery for the Roman Catholic Population of said City, and such Conveyance was executed: And whereas it is expedient and desirable for the more perfect completion of the said Cemetery that a small Lot of Common at the South and West corner thereof should be granted for the purpose aforesaid, and the said Corporation of the City of Halifax having consented thereto:

Corporation to convey Land described for purposes of a Cemetery.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful for the said Corporation to execute a Deed or Conveyance in Fee Simple, of the said Lot of Common bounded on the North and East by the Cemetery aforesaid; on the West by the Halifax Common; and on the South by Fort Massey Street, containing in all Three Rods, Two Perches, and Nine Yards, with all and singular the appurtenances to such Trustees, for and on behalf of the Roman Catholic Population, as aforesaid, and for the exclusive purposes aforesaid.

CAP. XXXI.

**An Act to Incorporate the Roman Catholic Bishop in Halifax.**

*(Passed the 31st day of March, A. D. 1849.)*

Preamble.

**W**HEREAS it is deemed just and expedient to Incorporate the Right Reverend William Walsh, Roman Catholic Bishop in Halifax, in the Province of Nova Scotia, for the purpose of enabling him and his Successors to hold and acquire Real Estate in the City and County of Halifax, in this Province for religious purposes:

The Roman Catholic Episcopal Corporation of the City and County of Halifax Incorporated.

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That from and after the passing of this Act, the Right Reverend William Walsh, and his Successor and Successors, being the Roman Catholic Bishop of the Diocese of Halifax, Nova Scotia, in communion with the Church of Rome, and being British born subjects or duly naturalized, shall be, and he is hereby declared to be a Body Corporate within that part of his Diocese called the County of Halifax, in deed and in name, and that the said Right Reverend William Walsh, and his Successor and Successors for the time being, by the name of "the Roman Catholic Episcopal Corporation of the City and County of Halifax," shall by the same name have perpetual succession and a common Seal, and shall have power from time to time, by and with the advice of his Vicar General, and a Roman Catholic Clergyman of the Diocese aforesaid, or of any two Clergymen of the said Diocese for the time being, as hereinafter mentioned, to alter, or renew, or change such Common Seal at pleasure, and shall by the name, as aforesaid, from

Powers and Privileges.