

SCHEDULE.

Regulations as to the transmission of Printed Books referred to in Section 3 of the foregoing Act :

Regulations for the transmission of Printed Books.

1st. The charge shall be the same, whether the Printed Book, Magazine, Review or Pamphlet be posted or delivered at a Post Town on the Frontier or Sea Coast of the Province, or at a Post Office in the interior of the same.

2d. The postage shall in all cases be pre-paid; one third of the charge being considered as paid for British Inland rate; one third for Sea rate; and one third for Inland Colonial rate.

3rd. To prevent the inconvenience which might arise from a large quantity of Books being sent by one Mail, Postmasters shall have authority in cases of necessity to delay the dispatch of such Books until the dispatch of the next Mail after that by which they would have been sent in the usual course, at their option, for a period not exceeding one week.

4th. No Printed Book, Magazine, Review or Pamphlet shall be sent by any route which will entail the expense of transit postage on the Post Office Department.

5th. All Printed Books, Magazines, Reviews and Pamphlets sent through the Post, shall be subject in all respects to the same conditions and restrictions to which Newspapers are liable by "The Post Office Act of 1850."

CAP. II.

An Act to make further provision for the service of Non-Bailable Process.

Passed 15th March 1851.

WHEREAS in and by the several Acts of Assembly regulating the service of Non-Bailable Process issuing out of the several Courts of Law in this Province, no sufficient provision is made for the case of persons carrying on business therein, who may have a place of business but no place of residence in this Province, or for persons who may have temporarily left the Province for the purpose of avoiding the service of Process;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where, after the passing of this Act, Non-Bailable Process shall be issued out of the Supreme Court of this Province, or any of the Inferior Courts of Common Pleas, against any person or persons carrying on business in this Province, who may have a place of business but no place of residence therein, the service of such Process may be effected by leaving a copy of the same, with the ordinary English notice thereunder written of the purport and effect of such Process, at the place of business of said defendant or defendants, with some Agent or Clerk or adult person in the employment of the defendant or defendants in such business, and known to the person serving the same as being an Agent, Clerk or person in the employment of the defendant or defendants in such business.

Service of Non-Bailable Process against persons carrying on business but having no residence in the Province.

II. And be it enacted, That the service of any Process issued out of the Supreme Court, or of any Inferior Court of Common Pleas, after the passing of this Act, against any person or persons who may have temporarily left or who may temporarily leave this Province for the purpose of avoiding the service of Process, may be made as provided in and by the first section of this Act, and as provided in and by the several Acts of Assembly making provision in lieu of personal service.

Service of Process against persons who have temporarily left the Province.

III. Provided always, and be it enacted, That no service of any Process made by virtue of this Act shall be deemed good service, unless the same shall have been made by the Sheriff of the County to whom the same shall have been directed, or his Deputy, nor without an affidavit by the party so serving the same, setting forth the facts, time and place of such service, and if under the second section of this Act, the reasons for believing that such defendant or defendants had left the Province to avoid service of Process, and an order of a Judge of the Court out of which such Process issued thereupon made, ordering such service to be deemed and taken as good service; and provided further, that nothing herein contained shall be construed to repeal any of the Acts of Assembly regulating the service of Process or any parts thereof otherwise than as the same may be inconsistent herewith.

Service under this Act to be made by the Sheriff or his Deputy and affidavit made.