

shall, from and after the Publication hereof, be made to the *Governor* or *Commander in Chief* for the Time being, and *His Majesty's Council* of this Province, who are hereby authorized and impowered to take Cognizance thereof, and to proceed thereon in like Manner, as by the before recited Clause of the said Act, should have been done by the *General-Assembly*.

And be it further enacted, That every *Executor* or *Administrator*, who may, by Virtue of this Act, be authorized and impowered to make Sale of any Real Estate, shall, before such Sale made, give Bond by himself or his lawful Attorney, with two Sureties, at the Office of the *Register* of the *Court of Probates*, in the County where such Real Estate shall lie, for the just and legal Distribution of the Monies arising from such Sale, in the full Value which, by the Report of the *Commissioners* for that Purpose appointed, shall be certified to be necessary to be raised by such Sale.

And be it further enacted by the Authority aforesaid, That all Lands, Tenements, or Hereditaments, sold by any *Executor* or *Administrator* by Virtue of this Act, shall become the absolute and undoubted Right and Property of the Purchaser or Purchasers thereof, from and after the Time of such Sale.



An Act for Establishing a *Public Market* at the *Market-House* in *Halifax*, and for regulating the same.

Be it enacted by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted
 B That the *Market-House* newly erected in the Town of *Halifax*, shall be open on *Mondays, Tuesdays, Wednesdays, Thursdays, and Frydays*, from *Sun rise* to *One o'Clock* in the Afternoon, and on *Saturdays* from *Sun-rise* to *Ten o'Clock* at Night, for the Reception of all kinds of *Butchers Meat, Poultry* both alive and dead, *Roots, Greens, Fruits, and other Vegetables*, which may be brought for public Sale therein. The *First Market-Day* to be held on *Monday the Thirteenth Day of October* next ensuing, and so to continue in manner aforesaid.

And be it further enacted by the Authority aforesaid, That a proper Person shall be appointed by the *Governor* or *Commander in Chief*, to be *Keeper* of the said *Market-House*, who shall open and shut the same at the Times herein appointed, and cause it to be kept clean, sweet, and in good Order: And the said *Keeper* is hereby impowered to let the
 M Stalls,

Stalls, and to sue for, recover, and receive, from the Persons who shall occupy the same, the Monies arising from the Rents, agreeable to the several Rates herein after mentioned; which Monies he shall account for upon Oath, and pay to the Treasurer of the Province once every *Three Months*; and for his Services in this Office he shall receive a Salary not exceeding *Forty Pounds per Annum*.

And whereas Disputes and Controversies do often arise in public Markets, which end in Quarrels and Frays; for preventing whereof as much as possible, Be it enacted by the Authority aforesaid, That the said Keeper of the Market-House shall be invested with all the Power and Authority of a Constable, in all Matters relative to the keeping Peace and Order in the said Market; and shall accordingly be sworn into that Office, before any Two of His Majesty's Justices of the Peace, or at the next General Sessions of the Peace for the County of Halifax, after his Appointment.

And be it further enacted, That every Person who shall hire One of said Stalls by the Quarter or any longer Time, shall pay Quarterly, to the Keeper at the Rate of Eight Pounds per Annum for the same; and those who shall hire any of the said Stalls for a shorter Space of Time, shall pay at the Rate of One Shilling and Six Pence per Day to the said Keeper: But live Poultry, Fruits, Greens, and other Vegetables, shall be exposed to Sale on the Benches under the Piazza, Rent free.

And be it further enacted, That the Persons exposing to Sale any Butchers Meat, Poultry, alive or dead, Roots, Greens, Fruit, or other Vegetables, as well within the said Market-House, as without under the Piazza, shall constantly keep the same clean, sweet, and in good Order, to the Satisfaction of the said Keeper, on Penalty of forfeiting to the said Keeper the Sum of Two Shillings and Six Pence for each and every Neglect; and the said Keeper is hereby empowered immediately to demand the same, and in Case of Refusal, the same shall be levied by Warrant of Distrels from any One Justice of the Peace, with Costs.

And also be it enacted, That if any Person shall sell or expose to Sale, any of the beforementioned Commodities within the Town or Peninsula of Halifax, or on board of any Vessels in the Harbour thereof, until such Commodities shall have been first carried to the Market House, and there publickly exposed to Sale on a Market-Day, during the Market Hours; or if any Person or Persons whatsoever shall presume to sell or expose to Sale, on board of any Vessel in the Harbour, or in any Shop, or Stall within the Town and Suburbs of Halifax, (other than in the said Market-House) any Butchers Meat or other the Commodities above-mentioned, during the Market Hours herein before appointed; he shall forfeit a Sum, not exceeding Five Pounds, for every such Offence; to be sued for and recovered before any Two of His Majesty's Justices of the Peace for the said County: One Moiety to be paid by the said Justices to the Treasurer of the Province, for the Uses of the Government, and the other Moiety to the Person or Persons, who shall inform, and sue for the same.

Provided

Provided always, That nothing in this Act contained, shall debar the Agents or Contractors for Victualling His Majesty's Ships, and the Army, to import the necessary Provisions for fulfilling their respective Orders or Contracts, without exposing them to public Sale, as is herein before directed.

And be it further enacted, That all the Monies arising from the Rents of the said *Market-House*, over and above the *Keeper's* Salary, shall be applied to the keeping the said *Market-House* in proper Repair, under the Inspection of the *Clerks of the Market* for the Time being; and the Surplusage, if any be, is hereby granted to His Majesty, and shall remain in the Hands of the said *Treasurer*, to be applied in the first Place, for building a public Slaughter House, and thereafter for the Uses of the Town of *Halifax* only.



An Act for appointing Commissioners of Sewers.

HEREAS great Quantities of Marsh, Meadows, and low Grounds, in this Province, and particularly in the Bay of Fundy, and Rivers, Bays and Creeks, branching therefrom, are spoiled by overflowing of the Sea, and other Waters; which by Industry may be greatly improved, as well for the General Good, as for the Benefit and Profit of the Owners; and also much Meadow and Pasture Land might be gained out of Swamps, and other rough and unprofitable Grounds by drowning and draining the same: To the Intent therefore, that the new Setlers and other Proprietors of such Marshes, Meadows, and low Grounds, may be encouraged and enabled to raise Dykes, and remove such Obstructions as prevent these Lands from being immediately useful.

Be it enacted, by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That it shall be in the Power of the Governor or Commander in Chief, with the Advice of His Majesty's Council, upon Request of any of the Proprietors of such Lands, to grant *Commissions of Sewers*, to such and so many able and discreet Persons, as to them shall seem meet, for the building and repairing such Dykes and Wares as are necessary to prevent Inundations; and also for the damming and flowing of Swamps, and other unprofitable Grounds, and draining of them: By which *Commissions* the said *Commissioners* shall be impowered to meet and convene together from Time to Time as Occasion may require, to view, consider, consult, and contrive such Ways and Methods for building and repairing such Dykes and Wares, as are necessary to prevent Inundations, and for the drowning and draining of Swamps, and other unprofitable Grounds; and to employ Workmen and Labourers, for such reasonable Wages as may be agreed on,