

C A P. VII.

An ACT in further Amendment of an Act, made in the Thirty Third Year of His late Majesty's Reign, intituled *An Act for establishing a Public Market at the Market House in Halifax and for regulating the same.*

34. Geo. 2. c. 6.

WHEREAS the Liberty given to the People coming from the Country, to sell several Articles brought by them immediately by Hand, as is provided for by an Act intituled, An Act in Amendment of an Act, made in the Thirty Third Year of His late Majesty's Reign, intituled "An Act for the Establishing a Public Market at the Market House in Halifax, and for regulating the same," has been found beneficial both to such People, and to the Inhabitants of this Town; And whereas it is apprehended that if the Country People had further Liberty given them, to sell such their Provisions by Hand, at any Time, as well within Market Hours as without, it would still be more beneficial; Be it Enacted, by the Governor, Council and Assembly, That any Person coming from the Country with any Quantities of Dead Meat, Poultry and Pigs alive or dead, Roots, Greens, and other Vegetables, shall have free Liberty to sell and dispose of the same by Hand, in any of the Streets or Lanes of the Town of Halifax, to any of the Inhabitants of said Town (not being Butchers or Hucksters) at any Time, whether within Market Hours or without, and that such Persons shall have free Liberty to carry the same to the Market House, to be sold and disposed of there, without being put to any Expence for Stallage; any Law, Usage, or Custom to the contrary notwithstanding.

Preamble.

Persons coming from the Country with dead Meat, &c. may sell the same at any Time to any Person (not being a Butcher or Huckster) and may sell the same in the Market House without any Expence for Stallage.

C A P. VIII.

An Act in further Addition to an Act made in the Thirty Second Year of His late Majesty's Reign, intituled *An Act for preventing Trespasses.*

32. Geo. 2. c. 14.

WHEREAS many evil minded Persons have broke open Inclosures by pulling down Stone Walls, carrying off and destroying Fences, Gates, Bars, and other Materials for Fencing, to the great Prejudice of the Owners of such Inclosures; In order therefore to prevent and deter such Offenders, Be it Enacted by the Governor, Council and Assembly, That if any Person (not being the Proprietor, or having legal Authority) shall presume to throw down or remove any Fence of Stone Wall, or any Part thereof, inclosing any

Preamble.

Any Person who shall throw down or remove any Fence of Stone Wall, or carry away any Rails, &c.

Parcel of Ground within this Province, or shall carry away any Rails, Posts, Gates, Bars, Boards, or any other Materials, whereof Fences are made, or shall level any Ditches, or cut down any Hedges, such Person shall, upon Conviction thereof before the *General Sessions of the Peace*, or before any Court of Record within this Province (over and above the Damages given to the Party injured) forfeit and pay a Sum not exceeding Ten Pounds; one Half to His Majesty, and the other Half to the Prosecutor; and if such Person shall be unable to pay the same, he shall be committed to the House of Correction, there to be kept to hard Labour for the Space of two Months, or be whipped at the Discretion of the Court.

(on Conviction thereof before any Court of Record) shall forfeit £10. besides the Damages, or if unable to pay, shall suffer two Months Imprisonment or be whipt.

Owners of Horses breaking into Inclosures on the Peninsula of *Halifax*, shall forfeit Ten Shillings for each Horse, besides the Damages,

to be recovered before any one Justice of the Peace.

Where no Owner shall appear, such Horse shall be sold to pay Costs, &c. the Surplus to be restored to the Owner, when he shall appear.

II. *And Whereas Horses, by being suffered to go at large on the Peninsula of Halifax, frequently break into Inclosures, and do great Damages, Be it Enacted,* That all Horses that shall break into any Inclosures, within the Peninsula of *Halifax*, lawfully fenced, or that shall be found trespassing therein; the Owner of all such Horse or Horses shall forfeit and pay the Sum of Ten Shillings for each and every such Horse, over and above the Damages; which Forfeiture shall be recovered, on Proof thereof, before any one of His Majesty's Justices of the Peace for the County of *Halifax*; one Half thereof to the Prosecutor, and the other Half to the Use of the Poor of the Town of *Halifax*; and where no Owner shall appear to pay the Costs, Damages, and Fine, it shall and may be lawful for the Justice of the Peace, who has heard and determined the same, after public Advertisement given for Ten Days, to sell the said Horse; and the Surplusage, over and above the Payment of the Costs, Damages, and Fine, to be restored to the Owner when he appears.