

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 4th day of December 1759, and in the 33^d year of His Majesty's Reign, and there continued by several Prorogations until Monday the 8th Day of September, 1760, in the 34th Year of His Majesty's Reign.

34 George II – Chapter 6

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 authority of the same it is hereby enacted that the market-house newly erected in the town of Halifax, shall be open on Mondays, Tuesdays, Wednesdays, Thursdays, and Frydays [Fridays], 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 orders and the said keeper is hereby impowered to let the 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 or 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 inverted 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 Distress from any 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 publicly 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 abovementioned, 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 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 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.