

Proprietors to make orders for Fencing the Common and to annex penalties for non obſervance.

Provided the orders are not repugnant to the Laws of the Province.

Proprietors or Trustees not alienate the Common, or to levy Taxes on ſuch Proprietors as do not uſe the Common.

III. *And be it further enacted by the Authority aforeſaid, That the Proprietors and Perſons intereſted in ſaid Common Field at a Meeting warned (as by this Act directed) and aſſembled, ſhall and may have Power by a Majority of Votes of the Perſons then aſſembled, to make and paſs ſuch Orders for fencing and improving of ſaid Common Field as by them ſhall be thought proper and convenient, and to annex Penalties on the Breach and Non-Obſervance of ſuch Orders; provided ſuch Penalties do not exceed Fifteen Shillings for one Offence. Provided alſo, That ſuch Orders ſo made are not repugnant to the general Laws of the Province, ſaid Penalties to be recovered before any of His Majeſty's Juſtices of the Peace for the County of Halifax, and to be diſpoſed of as ſaid Proprietors ſhall order or direct, any Law, Uſage or Cuſtom to the contrary notwithstanding. Provided always, That this Act nor any Thing therein contained, ſhall be conſtrued to impower ſaid Proprietors or the Trustees to alienate ſaid Common Field, or any Part thereof, or to aſſeſs or levy any Money on any Commoner, who ſhall not uſe his Right of Common, or on any Commoner, except in Proportion to the Beaſts he may depaſture there, and the Benefit he may derive from ſaid Common Field.*

C A P. VII.

An Act in Amendment of the ſeveral Acts paſſed in the firſt and twenty-eight Years of His Majeſty's Reign, relative to the repairing of Highways, Roads, Bridges, &c.

Preamble.

HEREAS the Road leading from the Town of Halifax to the Town of Annapolis, is frequently rendered inconvenient to paſs, from the great depth of Snow, and the injudicious Manner of uſing the ſaid Road, for Remedy whereof.

Sleds conſtructed to carry Loads paſſing from the Town of Halifax to Annapolis to be not leſs than four feet in Breadth and if drawn by more than one Horſe or Ox, the ſame to be Harned ſide by ſide of each other.

I. *Be it enacted by the Lieutenant Governor, Council and Aſſembly, That from and after the Publication of this Act, all loaded Sleds, or ſuch as are conſtructed to carry Loads, going to or coming from the Town of Halifax, or uſing any part of the Road leading as aforeſaid, and which ſhall be drawn by more than one Horſe or Ox, ſhall be in Breadth from Outside to Outside of the Runners not leſs than four Feet, and that the Horſes or Oxen drawing the ſame, ſhall be harned or yoked in ſuch Manner, that they draw two and two, ſide by ſide of each other.*

Penalty for diſobeying this Act 10s. to be recovered before one or more Juſtices of the Peace.

II. *And be it further enacted, That any Perſon diſobeying this Act ſhall forfeit the Sum of Ten Shillings for each and every Offence to be recovered before any one of His Majeſty's Juſtices of the Peace, and the Money ſo recovered to be appropriated to the Uſe of the Perſons informing and proſecuting the ſame to effect.*

III. *And*

III. *And be it further enacted,* That all Sleds which shall hereafter be made use of in any of the settled Townships of this Province, (*Halifax* excepted) shall be no less than four Feet wide as aforesaid, and any Person using a Sled of less dimensions shall forfeit and pay for each and every Offence a Penalty of Ten Shillings to be recovered and applied as aforesaid.

Sleds hereafter made use of in the settled Townships of this Province (*Halifax* excepted) to be no less than four feet wide under Penalty of Ten Shillings.

C A P. VIII.

An Act in further Addition to an Act made in the 32d Year of the Reign of King GEORGE the Second, entitled, "An Act for preventing Trespasses.

E it enacted by the Lieutenant Governor, Council and Assembly,

B That if any Person from and after the Publication of this Act shall be found within any fenced Field or other inclosure of Land on the Peninsula of *Halifax*, with a Gun or otherwise unless by leave of the Owner thereof, such Person shall for every Offence forfeit the Sum of Ten Shillings, to be recovered on due Proof before any one Justice of the Peace, and be for the Use of the Prosecutor. And in Case the Party convicted shall be unable to pay the Fine imposed, it shall and may be lawful for such Justice to commit him to the Common Gaol of the County, there to remain for twenty four Hours or until he pays such Fine.

Any Person found within any enclosed Field in the Peninsula of *Halifax* without leave of the Owner to pay 10s. and if unable to pay it may be committed to the common Gaol for 24 Hours.

II. *Be it further enacted,* That any Person or Persons who shall cut or carry away any Soil or Sods from off the Common of *Halifax*, or of *Lunenburg*, whereby the Pasturage shall be injured or the Ground defaced, he or they shall on Conviction forfeit and pay for every such Offence a Sum not exceeding Twenty Shillings, to be recovered and applied as aforesaid.

Persons cutting or carrying away the Soil or Sods from the Common at *Halifax* or *Lunenburg* to pay 20s. fine.