

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, and continued by several Prorogations to the Seventh day of June, 1799; in the Thirty-ninth Year of the Reign of Our Sovereign Lord George The Third of Great-Britain, France, and Ireland, being the Seventh, and last, Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

39 George III – Chapter 1

An Act for repairing, or rebuilding, the Market-House, erecting a Country Market-House, and regulating the several Markets in the Town of Halifax, and also to revive, alter, and amend, and bring into one Act, the Act for preventing frauds by Butchers, and Fishmongers, and the Act made in the Thirty-fourth year of His late Majesty's Reign, for regulating, and establishing, a Public Market in the Town of Halifax.

Whereas the present market house in the town of Halifax, is in a ruinous state, and requires to be repaired or rebuilt; and whereas it would greatly tend to the benefit both of the town and country if a separate market house was erected in Halifax, for the sole use of persons bringing from the country meat, poultry, butter and other victuals, and in which they might expose such articles for sale:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, and by authority of the same, that it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint three fit persons to be commissioners, who are hereby appointed commissioners, during the pleasure of the said Governor, Lieutenant-Governor, or Commander in Chief, for the time being, for repairing, or rebuilding, the market-house in the town of Halifax, erecting therein a suitable building for the use of the farmers, and country people, who bring their produce for sale, and also for providing a proper building near the public slip, for the accommodation of persons bringing vegetables, and other victuals, by water, and the said commissioners, or any two, or more of them, are hereby invested with all the powers, and authorities, given or granted by this act.

II. And be it further enacted, that it shall and may be lawful for the said commissioners, or any two, or more of them, to appoint one or more persons as keepers of the said markets, and as receivers of the rents of the stalls therein, allowing to such person or persons so by them appointed, such salaries, or other rewards for their trouble, as to the said commissioners, or any two, or more of them, shall, and they are hereby empowered, at their pleasure, to remove such keepers or receivers, or other person and persons, so by them, from time to time, appointed, and to place others in their stead, and to call such persons to account for all monies received and disbursed; and the said commissioners, or any two of them, shall render an account of the receipt and expenditure of all monies, as well respecting the building, repairing, and erecting the said markets, as of the rents and profits

of the stalls, and the salaries or allowances of the officers, to the general assembly, once every year.

III. And be it further enacted, that the stalls in the said town-market, on the first Monday of October, in each and every year, after reasonable notice given, shall be set up at public auction by the said commissioners, and let to the highest and fairest bidder, for one year, and one quarter's rent of said stalls shall be always paid in advance; and if any person so hiring any such stall, shall refuse or neglect to pay such rent, one week after such quarter's advance ought to be paid, as aforesaid, it shall be lawful for the keeper of such market, to exclude such defaulter from said stall, and to sue for any arrears of rent before any one justice of the peace, and the said commissioners may let such stall at public auction for the residue of such year, to any person or persons who will hire the same on the terms and conditions aforesaid. And it shall be lawful for the said commissioners, so soon as the stalls of said market-house shall be ready to be let, immediately to advertise, and let the same at auction, from such time, until the first Monday of October next ensuing.

IV. And be it further enacted, that all and every person, who shall exercise or follow the trade of a butcher, victualler, or journeyman butcher, within the town and peninsula of Halifax, shall strictly conform to all such orders, and rules, as the justices, at any quarter or special sessions of the peace shall make, for the regulating the town-market, the slaughtering of cattle, and the sale of meat, within the said town and peninsula of Halifax.

V. And be it further enacted, that after the said town market house shall be rebuilt, or repaired, as aforesaid, and that the commissioners shall have given public notice that the said market house is ready for the reception of the butchers, it shall not be lawful for any butcher, victualler, or journeyman butcher, to sell, or expose for sale, any meat, or poultry, alive or dead, in any vessel, shop, stall or place, within the town and suburbs of Halifax (other than in said market house) during the market hours herein after mentioned, on pain of forfeiting five pounds for every such offence: and such market hours shall commence at sun-rise, and continue till sun-set on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, and for two hours after sun-set on Saturdays, and on Sundays from sun-rising until nine of the clock in the forenoon.

VI. Provided always, and be it further enacted, that it shall be lawful for any country people, by themselves, their servants or agent, to see, and expose for sale, their meat, or poultry, alive or dead, at any time, and in any place within the said town and suburbs, as well within the market hours as without; but if any person, under pretence of being a countryman, or the servant or agent of the countryman, or farmer, shall presume to sell, or expose to sale, any meat, otherwise than as before directed, it shall be lawful for any two justices of the peace to give notice to such person to desist from so selling; and if such person shall afterwards continue the same practice, he shall forfeit and pay for every offence a fine not exceeding ten shillings.

VII. And be it further enacted, that the stalls to be erected in the country market shall be let to farmers, and country people, only, at one shilling per day, for each stall: which rent shall commence from the time when the person, so renting it, shall receive the key thereof, and determine when the key is returned to the keeper; and no one person, or company of persons, shall be permitted to hold or retain any stall for a longer time than seven days upon any one hiring.

VIII. And be it further enacted, that the said commissioners shall and may provide one or more sets of scales, weights and measures, for the general use of the said country market, to be taken care of by the keeper: and if the said scales, weights or measures, shall be injured or lost while in the care or use of any of the persons hiring the stalls, such person or persons shall be accountable therefor, and shall pay the value thereof to the keeper, who, if necessary, may, in his own name, and before any justice of the peace for the county of Halifax, sue for, and recover, the value of the scales, weights or measures, so lost or damaged; and persons renting stalls in the said country market shall be obliged to conform to such regulations as the justices of the peace, for the county of Halifax, shall, from time to time, make at any quarter or special sessions of the peace, for the good order and governing of the said country market, on pain of forfeiting the sum of ten shillings for every breach of any such regulations.

IX. And be it further enacted, that the said commissioners shall and may settle with the trustees of the fish market in the town of Halifax, and pay to them whatever balance may be due; and that the said commissioners shall and may thenceforth receive, and take, the rents and profits as well of the fish markets as of the slip market for people bringing produce by water; and the justices of the peace shall, from time to time in their sessions, establish the rates of the stalls, or standing, in the said markets respectively, and make regulations for the said markets: and any person who shall commit a breach of any such regulations, shall forfeit and pay the sum of ten shillings.

X. And be it further enacted, that the keeper, or keepers, of the said markets shall severally attend the different markets during market hours; and such keeper, or keepers, and also the clerks of the market, shall have authority to seize and take all meat, blown or stuffed, or in any ways fraudulently or deceitfully set off, and all meat, fish, and wild fowl, tainted, or offered for sale, contrary to the regulations to be made as aforesaid, and shall exposed the same to the view of any two justices of the peace, and if the said justices shall find such meat or fish to be tainted, or fraudulently set off, or improperly exposed to sale, contrary to the true intent of this act, or of such regulations to be made as aforesaid, they shall adjudge the same to be forfeit, and shall cause the same to be distributed to such poor persons in the town, as they shall direct, and if the tainted meat or fish, shall be wholly unfit for food, the said justices may cause such meat or fish to be burnt or destroyed, and adjudge the person offering the same for sale, to be fined, and pay the sum of ten shillings, for the use of the poor of the town. Provided always, that nothing in this act contained, shall hinder any person contracting to supply His Majesty's ships, or the forces in the garrison of Halifax, with fresh provisions; from importing, killing, and dressing, the meat, necessary for their

contracts, at such time, and in such places as they shall think proper, without expressing any part of such meat for public sale, otherwise than in manner herein before directed.

XI. And be it further enacted, that if any butchers shall conspire, or combine together for the purpose of fixing the prices of cattle of any description, or of butcher's meat, or not to sell their meat, but at certain prices, every person so offending, shall forfeit and pay for every such offence, a fine not exceeding fifty pounds.

XII. And be it further enacted, that the keeper, or keepers, of said markets, and also the clerks of the market, shall be sworn, at the time of their taking up them such offices, faithfully to assist in carrying into execution this act, and all regulations which may be made by the justices in their sessions by virtue hereof.

XIII. And be it further enacted, that all penalties and forfeitures imposed by this act, and whereof of recovery and distribution are not herein otherwise provided for, shall be sued for and recovered with costs, before any two justices of the peace for the county of Halifax: and one half of such penalties and forfeitures shall be paid to the prosecutor, and the residue to the said commissioners, to increase the fund of the said markets.

XIV. And be it further enacted, that the rents of the said market houses, when received by the said commissioners, shall form one general fund, to be by them applied to pay the salaries of the said keepers and receivers, and to repair the said buildings, and also for such other purposes as may appear to the said commissioners necessary to carry this act into effect: and all such receipts and expenditures shall be accounted for in the manner directed in the second section of this act.

XV. And be it further enacted, that, from and after the publication hereof, this act, and the several provisions, clauses and directions, herein contained, shall be wholly substituted, and carried into execution, instead of the provisions contained in an act, made in the thirty-second year of His late Majesty's reign, entitled, "An act for preventing frauds by butchers and fish-mongers;" and also instead of the provisions contained in an act, made in the thirty-fourth year of the same reign, entitled, "An Act for establishing a public market at the market-house in Halifax, and for regulating the same, any thing in the said Acts, or either of them, to the contrary thereof notwithstanding."