

damages to the owner or owners, and tenant or tenants, of such lands, according to their several interests, as the said Jury shall think reasonable for the value of the lands and improvements made on such lands to be taken into such highway, as also for the expence to be imposed upon the owner or tenant for making fences or ditches on the side of such highway.

Owners of waste or unimproved lands, through which a road is made, to be compensated in like manner for damage sustained.

Manner of establishing said road as the right of the public.

II. *And be it further enacted*, That if it should be found necessary to carry any such new road through waste and unimproved lands, and the owner, or proprietor thereof shall suffer, thereby, any special damage, he shall be entitled to have such damage ascertained, and be compensated therefor, in manner herein before directed, in the case of enclosed and improved lands.

III. *And be it further enacted*, That the verdict of the said Jury, shall be returned forthwith by the Sheriff, or his deputy, to the Clerk of the Peace for such county, or district, who shall, thereupon, send notice to their respective owners, and tenants, of the nature, and course, of the road to be made, or altered, through their lands, and of the recompence awarded them by the Jury, and also of the day appointed by said Court of Sessions, to consider of the said verdict, and if on such day no reasonable cause be shewn to said Court, why the said verdict should not be confirmed, the said Court shall confirm, and record, the said verdict, and the road, or highway, shall be made, or altered, accordingly, and thenceforth become a public road, or highway, for all His Majesty's subjects.

Governor to draw on the Treasury for the amount of compensation to owners or tenants as also the fees to Sheriff and Jurors

IV. *And be it further enacted*, That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to grant his Warrant upon the Treasurer of the Province, in favour of the person or persons who shall have obtained a verdict of a Jury in manner aforesaid, for the sums awarded, in recompence of any lands so required, and taken, for a public road, or highway; and also for so much money as shall be sufficient to pay the lawful fees of the Sheriff, and the Jury, so employed about such valuation.

Punishment of any owner, or tenant, of lands through which a road is to be made obstructing persons acting under this Act.

V. *And be it further enacted*, That if any owner, or tenant, of any lands, through which any road, or highway, shall be directed to be made or altered as aforesaid, or any other person or persons whatsoever, shall molest, interrupt, or disturb, any such Commissioner, or Commissioners, or any person or persons employed by him, or them, in making, altering, or enlarging, any such public road, or highway, after verdict given, and confirmed, for the same as aforesaid, the person or persons so offending, shall and may be prosecuted; and punished for every such offence, as and for a misdemeanour.

Persons summoned for the purposes of this Act, neglecting or refusing to attend, to forfeit 20s.

VI. *And be it further enacted*, That if any of the Jury, duly summoned by the Sheriff, or his deputy, for the purposes aforesaid, shall neglect to attend, or refuse to be sworn to perform the duties required by this Act, every such Juror shall forfeit and pay for such neglect or refusal the sum of twenty shillings: to be levied by warrant of distress and sale of the offender's goods, on conviction of such offence, before any two Magistrates of the county or district where in the offender shall be resident: And the Sheriff, or his deputy, shall summon others in the place of those who may neglect to attend, until such Jury shall be completed to the number of twelve.

CAP. II.

An ACT for altering and amending an Act, made in the thirty-second year of the Reign of His late Majesty, King George the second, entitled, An Act for preventing Trespasses.

Preamble.

WHEREAS by an Act, made in the thirty-second year of the Reign of His late Majesty, King George the Second, it is enacted, that to all Farms, which are bounded on rivers, where the tide flows,

flows; eight feet and upwards, at common tides, such river, so far up, shall be deemed a sufficient fence; and whereas the above recited part of said Act, is found to produce many inconveniences to the owners of Farms bounded by rivers:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That such rivers, creeks, bays, harbours and inlets, of the sea only, shall be deemed sufficient and lawful fences, as in the judgment of the fence viewers, of the township or place where such lands lie, shall be sufficiently deep and inaccessible to prevent the passing of cattle.

Rivers, & creeks, deemed lawful fences, as shall be sufficiently deep to prevent the passing of cattle.

CAP. III.

An ACT in further addition to an Act for preventing Trespases.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Justices of the Peace in the General or Special Sessions of the Peace at Halifax, when five Justices, at the least, shall be attending, to make and publish from time to time, as they may judge necessary, such regulations, respecting the places and manner of slaughtering cattle, as they may think best calculated to preserve cleanliness, and prevent risk or injury to the health of the inhabitants in the town and suburbs of Halifax, and also for the cleansing of the streets, and for disposing of, and removing, heaps of dung, ashes or offals, which may be laid therein, and suffered to remain, to the annoyance of the neighbourhood, or passengers, or to the incumbrance of the streets thereof.

Justices in Sessions, (five justices being present) to make regulations for the slaughtering of cattle, and cleansing the streets, &c. in the town of Halifax.

II. And be it also enacted, That all persons, whether butchers, carmen, farmers, gardeners or others, who shall offend against such regulations, after the same shall have been published in some or one of the newspapers, or proclaimed by the town crier, as the said Justices may direct, shall, for each and every offence, be liable to a fine not exceeding forty shillings: to be recovered before the General Sessions, or any two Justices of the Peace for the County of Halifax, resident at Halifax, and to be applied, by the said General Sessions, to the cleansing the drains and gutters of the streets and lanes thereof.

Persons offending to forfeit 40s.

III. And be it further enacted, That all fines and forfeitures arising in the town of Halifax, from the breach of the fifteenth section of the Act for repairing and mending highways, roads, bridges and streets, and for appointing Surveyors of Highways within the several townships in this Province, shall, in future, be applied to the cleansing of the drains and gutters of the streets and lanes of Halifax, and not to the support of the poor; any thing in the said Act to the contrary in any wise notwithstanding.

Application of penalties.

CAP. IV.

An ACT to provide suitable places for the General Assembly, and King's Courts to sit in, and for other public purposes.

WHEREAS the term for which the Buildings belonging to the Honorable Thomas Cochran, James Cochran and William Cochran, of Halifax, Merchants, were hired by this Province, will expire on the thirtieth day of June next, and whereas it will be expedient to renew the lease of said Buildings for a term of three years:

Preamble.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief of this Province, by Warrant under his Hand and Seal, to appoint three or more fit and proper persons, to act as Commissioners on the part of the Province; and the Commissioners so appointed, shall, and may,

Commissioners appointed to hire Messrs. Cochran's building, for the use of the General Assembly King's Courts &c.