

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.

may, in the names of themselves, their executors, and administrators, as trustees for this Province, lease and hire from the said Thomas Cochran, James Cochran, and William Cochran, all the buildings, tenements and premises, now used, occupied and held, on the part of the Province, for the General Assembly, the King's Courts, and other public purposes, for a term of three years certain, to commence, and be accounted on and from the first day of July next, and so on from year to year, so long as the Government shall have occasion for the same; the continuance of the lease to end on Government giving the proprietors six months notice, previous to the end of any succeeding year, of the intention of giving up the premises; *Provided*, that the term of such hire, shall not be extended to a period longer than ten years, at the yearly rent of three hundred pounds, to be paid out of the Treasury of the Province; in half yearly payments.

Extent of lease.
Yearly rent, and times of payment.

Lessors to keep said building in repair, &c

II. *Provided always, and be it further enacted*, That nothing to be contained in such leases shall make liable, or oblige the said Province, to pay for any repairs of the said building, or to repair or rebuild the same, in case they shall be consumed or destroyed, or made untenable by fire, or other accident or event whatsoever; unless the damage to be repaired has arisen from the negligence of the occupants, or the misuse of the premises, nor shall the Province be obliged by such lease to pay any rent in such cases, but the said building shall be kept in good tenantable repair by the said lessors, at their own proper costs and charges, and the rent shall cease from the time the said buildings are out of repair, or become untenable, unless the same are repaired in a reasonable time thereafter.

Governor to draw on the treasury for the payment of rent.

III. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw, by warrant, on the treasury, at the end and expiration of six calendar months from the said first day of July next, for the said half yearly rent of one hundred and fifty pounds, and so on for every half year then next ensuing, during the full term of said lease: and the Province is hereby bound to provide for the punctual payment of such warrants to the said Thomas, James and William Cochran, their heirs and assigns accordingly.

CAP. V.

An ACT for the better regulating the manner of holding the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of Annapolis.

Preamble.

WHEREAS from the extent of the County of Annapolis, it is found inconvenient for the inhabitants of the western part of the said County, to attend at the times and places, when, and where the Inferior Court of Common Pleas, and General Sessions of the Peace, are now held for the said County; for remedy whereof:

Times of holding Inferior Court at Annapolis, and Digby.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That, from and after the publication hereof, the Inferior Court of Common Pleas, and General Sessions of the Peace for said County, shall be held four times in each and every year, that is to say, in the town of Annapolis, on the first Tuesday of April, and on the first Tuesday of November; and in the Town Plot of Digby, on the third Tuesday of June, and the third Tuesday of December.

Inhabitants of the eastern part of Digby, excused from serving as jurors in said Court; as also the inhabitants of the western part of Annapolis, from serving in said Court.

II. *And be it further enacted*, That it shall and may be lawful for the Justices of the said Court of Common Pleas, and Sessions of the Peace, to excuse the inhabitants of the eastern part of said County, from being drawn as Grand or Petit Jurors, to serve at the said Courts, to be held at Digby, as aforesaid; and so in like manner to excuse the inhabitants in the western part of said county, from being drawn as Grand or Petit Jurors, to serve at the said Courts, to be held at Annapolis, as aforesaid.

III.