

wood, barrels, hogheads, and other wares and merchandize in the town of Halifax and its suburbs, consideration being had to the price of hay, provender for the cattle, and price of day labourers ; and shall cause a table of the several rates agreed upon by them at their sessions to be printed and posted up in the most public places in and about the town of Halifax.

II. *And be it further enacted*, That if any carman or owner of trucks or carts, or any other carriage, shall ask, demand or receive, from any person, any other or greater rates or fare, than is allowed and prescribed by the table aforesaid, he or they shall forfeit and pay the sum of twenty shillings, to be recovered on the oath of the prosecutor, before any one of his Majesty's Justices of the peace for the county of Halifax, and to be levied by warrant of distress : one half to be paid to the prosecutor, the other half to be applied to and for the mending of the streets of Halifax.

Carmen, &c. dr. manding any greater rates for-  
feit 20s.

III. *And be it also further enacted*, That the Justices of the Peace at the Quarter Sessions, held in and for the several counties within the province, are also impowered and hereby required every year, in the months of March and September, to regulate the fares and rates of carriages for the several towns in each of the said counties, in like manner and with the same penalties, and to be recovered as is directed by the preceding clauses of this Act ; one half of the fines and forfeitures to be paid to the prosecutor, and the other half applied to and for mending and repairing the streets of the town where such offence shall be committed.

Justices in sessions in other counties, to regulate the rates of carriages for each town

## CAP. XII.

An ACT, in addition to an Act, entitled, An Act for the relief of the Poor in the Town of Halifax, made and passed in the 33d Year of His Majesty's Reign.

Executed

## CAP. XIII.

An ACT, to prevent any private Trade or Commerce with the Indians.

Repealed by His Majesty in Council

## CAP. XIV.

An ACT, in addition to an Act, entitled, An Act, for preventing Trespasses.

For the Acts in addition to or amendment of this Act, see note. on 32d. Geo. 2d. cap. 14.

**W**HEREAS by an Act made and passed in the thirty second year of his Majesty's reign, entitled, An Act for preventing trespasses, it was enacted, "That it should be lawful to impound any swine going at large, within the streets, lanes, or suburbs of the town of Halifax ;" And whereas no provision was therein made for inclosing ground for a pound ; Be it therefore enacted by his Excellency the Governor, Council and Assembly, and by the authority of the same it is hereby enacted, That a pound shall be forthwith made of forty feet square, at the public expence ; and that the Grand Jury of the Supreme Court, to be held in April next, shall appoint a keeper of the same.

Preamble

A pound to be made forty feet square, and a keeper appointed

II. *And be it further enacted by the authority aforesaid*, That if any damage shall be done by breaking any inclosures, and destroying any of the produce thereof, by any horses, sheep, goats, swine, or neat cattle, it shall and may be lawful for the person or persons whose fence or fences

Trespassing cattle to be impounded

Owners of such  
cattle refusing to  
pay the damages  
&c. the same to  
be sold for the  
payment thereof

fences shall have been so broken, and whose inclosures shall have received such damage, to cause the said horses, sheep, goats, swine, or neat cattle, to be impounded until the owner or owners of such trespassing cattle shall claim the same, and the keeper of the pound shall cause the same to be cried as soon as may be, in order that the person or persons injured may proceed against the said owner or owners of such horses, sheep, goats, swine, or neat cattle, refusing to pay the damages done by their said horses, sheep, goats, swine, or neat cattle as is directed in the first clause of the Act entitled, "An Act for preventing trespasses," and the owner or owners of such horses, sheep, goats, swine, or neat cattle, shall pay to the keeper of the pound, over and above the damages which shall be adjudged to have been done by the said horses, sheep, goats, swine, or neat cattle, for the support of the same, for each and every day the same shall be impounded, one shilling for every horse, and head of neat cattle, and six pence for every sheep, goat or swine. And if the owner of such horses, sheep, goats, or swine, or neat cattle, shall refuse to pay the same to the keeper of the pound, together with the charge of crying the same, within fourteen days after the same shall be impounded, the said horse or horses, neat cattle, sheep, goats, or swine, shall be publickly sold, and the money arising from said sale, after deducting therefrom the pay of the keeper for supporting them, and the damages done by the said horse or horses, neat cattle, sheep, goats, or swine, the remainder shall be paid to the owner, and if no owner shall appear, then to the overseers of the poor, for the use of the poor of the township of Halifax.

Persons rescuing  
such cattle, forfeit  
20s. besides the  
damage done by  
the trespass,

and for every  
pound breach 5l.

to the use of the  
poor

Justices in ses-  
sions to make re-  
gulations in o-  
ther counties.

III. *And whereas no provision is made by the said Act for preventing any rescue of swine, horses, sheep, goats, or neat cattle, Be it therefore enacted,* That if any person or persons shall rescue any swine, horses, sheep, goats, or neat cattle, from any hogreave or other person, driving such swine, horses, sheep, goats, or neat cattle, to the pound, the offender shall forfeit and pay for such rescuous, the sum of twenty shillings, over and above all damages that may be sustained by the trespass of such swine, horses, sheep, goats, or neat cattle; which penalty and damages shall be recovered by the oath of one credible witness, before any one of his Majesty's Justices, and to be levied by warrant of distress, and sale of the offender's goods and chattels; and if any person or persons shall make any breach of the said pound, or shall by any other indirect means, deliver any swine, horses, sheep, goats, or neat cattle, out of the same, the person so offending, being duly convicted thereof before any two of his Majesty's Justices of the peace, shall forfeit and pay the sum of five pounds, to be levied as aforesaid; and the said penalties for every such rescuous and pound breach, shall be paid to the church wardens and overseers of the poor, for the use of the poor of the town of Halifax, after deducting the charges of repairing any breach of the pound.

VI. *And be it further enacted,* That the Justices in their Quarter Sessions of the Peace, in all other counties within the province, shall be impowered, and are hereby directed, to make regulations for preventing trespasses, by horses, swine, sheep, goats, and neat cattle, going astray, in manner as shall be most agreeable to the circumstances of such county or townships therein.

[The 4th and 5th sections of this Act, together with that part of the 4th section of 32d Geo. 2d. Cap. 14 which respect the repairs of the Streets in Halifax, being now otherwise provided for, are not reprinted.]