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At the GENERAL ASSEMBLY of the Province of *Nova Scotia*, begun and holden at *Halifax*, on the Twenty Eighth Day of *May*, Anno Domini 1765, in the Fifth Year of the Reign of Our Sovereign Lord GEORGE the Third, of *Great Britain, France, and Ireland*, KING, Defender of the Faith, &c. and there continued by several Prorogations until the Tenth Day of *October* Anno Domini 1769, in the Ninth Year of His said Majesty's Reign, being the Eighth Session of the Fourth GENERAL ASSEMBLY convened in the said Province.

C A P. I.

An Act for establishing and regulating Ferries.

WHEREAS it hath been represented that the Establishment of Ferries in many Parts of this Province, would be of great Utility and render the Communication to several Places more easy and expeditious, Be it enacted by the Governor, Council, and Assembly, That from and after the Publication of this Act, His Majesty's Justices in their General or Special Sessions of the Peace for each County, shall be and they are hereby authorized and impowered to establish such Ferries over Rivers, Bays or Creeks, within their respective Counties, as may be by them thought necessary; and to agree with and grant Licenses to such Persons as they shall judge meet as Ferry-men, under such Rules and Regulations as they, from Time to Time, shall judge most for the Good of the Public: And any Person or Persons who shall agree and accept of the office or Place of Ferryman, and after such Agreement and Acceptance, shall refuse or neglect to comply with and observe the several Articles and Clauses contained in said Rules and Regulations, made as aforesaid, shall be fined by the Justices in their Sessions, in any Sum not exceeding Forty Shillings for every Offence.

Preamble.

Ferries shall be established and regulated, and Ferry-men appointed by the Justices in Sessions.

Penalty on Ferry-men, not observing the Regulations.

None but the Ferrymen shall carry over either Man or Beast, where Ferries shall be established.

II. *And be it further Enacted*, That when any Ferry shall be established over any River, Bay or Creek as aforesaid, and any Person or Persons appointed and licensed to attend the same as aforesaid, that no Person or Persons whatsoever shall carry or ferry over such River, Bay or Creek, either Man or Beast, unless by Desire or Consent of the Ferrymen appointed and licensed as aforesaid, except the same be done *Gratis*.

Where Ferrymen shall not give due Attendance, any other Person may supply his Place until another be appointed.

III. *Provided nevertheless*, That if any Ferrymen, appointed as aforesaid, shall neglect or refuse to give due Attendance, pursuant to the Regulations made for that purpose, in every such Case any other Person or Persons may supply the Place of such Ferryman, till another be appointed and licensed as aforesaid, and receive Payment for the same, in the same manner as the proper Ferryman might do if present.


This Act to continue four Years

IV. *And be it also Enacted*, That this Act shall continue and remain in force, for and during the Term of four Years, from and after the Publication thereof, and until the End of the Session of the *General Assembly* then next following.

C A P. II.

An Act to prevent, for a limited Time, the Exportation of Wheat, Rye, Barley, Flour, Meal, and Pease, from this Province.

Preamble.

 *HEREAS* the Exportation of Wheat, Rye, Barley, Flour, Meal, and Pease, from this Province, has been the Occasion of great Scarcity, and has proved of great Detriment to His Majesty's Subjects within the same, Be it Enacted by the Governor, Council, and Assembly, That from and after the Publication of this Act, until the *First Day* of May One Thousand Seven hundred and Seventy, before any Wheat, Rye, Barley, Flour, Meal, or Pease, shall be laden or put on board any Ship, Vessel, or Boat, the Master of such Ship, Vessel, or Boat, shall give Bond with one Surety, to the Naval Officer of the District, in double the Value of such Wheat, Rye, Barley, Flour, Meal or Pease, intended to be shipped, with Condition that the same shall be carried to some other Port or Place within the Province, (the Dangers of the Seas excepted) and to produce a Certificate of the due landing thereof, within six Months, under the Hand and Seal of the Naval Officer of the District where the same shall be unladen or put on Shore.

From the Publication of this Act until the 1st Day of May 1770, before any Wheat, &c. shall be laden on board any Ship, &c. the Master shall give Bond, conditioned that the same shall be carried to some other Port in the Province, and to produce a Certificate of the due landing thereof.

Wheat, &c. may be carried from one Town to another &c.

II. *Provided*, That nothing in this Act shall be construed to debar any Person carrying Wheat, or other Grain, in any Boat

Boat passing the Rivers from one Town to another, or to or from Mill, or for the necessary Provision of the Vessels Crew.

III. *And be it Enacted*, That if any Wheat, Rye, Barley, Flour, Meal, or Pease, (the Produce of this Province) shall be laden on board any Ship, Vessel, or Boat, before such Bond is given, the same shall be forfeited, and may be seized by any of His Majesty's Justices of the Peace, who are hereby empowered to seize the same.

Wheat, &c. laden on board any Ship &c. before Bond given, shall be forfeited, and may be seized by any Justice of the Peace.

IV. *And be it further Enacted*, That for the Bond herein directed to be taken, and Certificate thereof, a Fee of One Shilling shall be paid; and for a Certificate of the landing of the Articles herein specified, a Fee of One Shilling shall be paid, and no more.

Fees for taking Bonds, and giving Certificates.

V. *And be it also Enacted*, That the Forfeitures incurred by this Act, shall be recovered, on the Oath of one credible Witnesses, in any of His Majesty's Courts of Record in this Province; and after deducting the Expences of Prosecution, be divided One Moiety to His Majesty, for the Use of the Government of this Province, and the other Moiety to him or them who shall inform, seize or sue for the same.

Forfeitures to be recovered in any Court of Record.

VI. *And be it also further Enacted*, That where no Naval Officer shall be resident, the Bond herein directed to be taken, and Certificates to be given of the same, and of the landing thereof, shall be by one of His Majesty's Justices of the Peace of the Town or Place where the said Wheat, Rye, Barley, Flour, Meal, or Pease, shall be loaded or landed.

Where no Naval Officer shall be resident, Bonds and Certificates to be by a Justice of the Peace.

C A P. III.

An Act in further Amendment of an Act made in the 6th Year of His present Majesty's Reign, intituled *An Act concerning Bail.*

6. Geo. 3. c. 3:

WHEREAS by an Act made in the Eighth Year of His present Majesty's Reign, intituled An Act for altering, amending, and continuing an Act made in the sixth Year of His present Majesty's Reign, intituled "An Act concerning Bail," it is among other Things Enacted "That in all Causes where the Sum sued for shall exceed Ten Pounds, the Goods, Chattels, or Estate of no Person shall be attached, unless the Plaintiff, his Agent or Attorney, shall make and subscribe an Affidavit in Writing, that the Defendant is justly indebted to the Plaintiff in the Sum of Ten Pounds or upwards;

Preamble.

8. Geo. 3. c. 3.
2. Sess.

Attachments may be made on Goods, &c. upon the Plaintiff's filing an Affidavit that the Defendant is justly indebted to him in the Sum of Three Pounds or upwards:

"wards;" which Restriction is found to be very inconvenient; For remedy whereof, Be it enacted by the Governor, Council, and Assembly, That from and after the Publication of this Act, the Provost Marshal or his Deputy, shall and may attach the Goods, Chattels, or Estate of any Debtor or Debtors, upon the Plaintiff, his Attorney or Agent, filing an Affidavit in the Clerk's Office of the Court, from whence such Writ of Attachment shall issue, that the Defendant is justly indebted to the Plaintiff in the Sum of Three Pounds or upwards; which Attachment shall be made and levied in the same manner as is directed and prescribed to be done by the Act made in the Eighth Year of His Majesty's Reign above recited.

C A P. IV.

An Act for further regulating the Market at Halifax;

The Rates of the Stalls in the Market House regulated.

Be it enacted by the Governor, Council, and Assembly, That from and after the Publication of this Act, each and every Person who shall take a Stall in the Market House in Halifax, by the Year or Quarter, shall pay to the Keeper the Sum of Four Pounds *per Annum*, to be paid Quarterly; and those who shall take a Stall for a shorter Time, shall pay Nine Pence *per Day*; in lieu of the Rents now paid, any Law, Usage or Custom to the contrary notwithstanding.

Persons from the Country, bringing to Halifax, any Neat Cattle, &c. may dispose thereof in any of the Streets &c. of the said Town, &c.

II. *And be it also Enacted*, That any Person or Persons, being resident Inhabitants of any Town or Place in this Province, (*Halifax* excepted) bringing from the Country into the Town of *Halifax*, any Number or Quantity of Neat Cattle, Sheep, Hogs, or Poultry, alive or dead, Roots, Greens, and other Vegetables, shall have free Liberty, by themselves or Agents, to kill, sell and dispose of the same by Hand or otherwise, in the Streets or Lanes of the said Town, or in any House, Bulk or Stall in the same, at any Time whether within Market Hours or without; any Law, Usage, or Custom to the contrary notwithstanding.

This Act not to affect the Laws against Foresters and Regrators.

III. *Provided always*, That all Acts or Clauses of Acts against Foresters and Regrators, shall be as effectual and in as full force, as if this Act had not been made.

This Act to continue one Year.

IV. *And be it Enacted*, That this Act shall continue and be in force for and during the Term of One Year, from the Publication thereof, and until the End of the Session of the *General Assembly* then next following.