

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 28th day of May 1765, in the Fifth Year of His Majesty's Reign, and there continued by several Prorogations until the first day of July, 1767, in the Seventh Year of His said Majesty's Reign; being the Fourth Session of the Fourth General Assembly convened in the said Province.

7 George III – Chapter 8 (Session 1)

An Act in further Addition to an Act made in the Thirty Second Year of His late Majesty's Reign, intituled "An Act for preventing Trespasses."

Whereas many evil minded persons have broke open inclosures by pulling down stone walls, carrying off and destroying fences, gates, bars, and other materials for fencing the great prejudice of the owners of such inclosures; in order therefore to prevent and deter such offenders, be it enacted by the Governor, Council and Assembly, that if any person (not being the proprietor, or having legal authority) shall presume to throw down or remove any fence of stone wall, or any part thereof, inclosing any parcel of ground within this Province, or shall carry away any rails, posts, gates, bars, boards, or any other materials, whereof fences are made, or shall level any ditches, or cut down any hedges, such person shall, upon conviction thereof before the General Sessions of the Peace, or before any Court of Record within this Province (over and above the damages given to the party injured) forfeit and pay a sum not exceeding ten pounds; one half to His Majesty, and the other half to the prosecutor; and if such person shall be unable to pay the same, he shall be committed to the House of Correction, there to be kept to hard labour for the space of two months, or be whipped at the discretion of the Court.

II. And whereas horses, by being suffered to go at large on the peninsula of Halifax, frequently break into inclosures, and do great damages, be it enacted, that all horses that shall break into any inclosures, within the peninsula of Halifax, lawfully fenced, or that shall be found trespassing therein; the owner of all such horse or horses shall forfeit and pay the sum of ten shillings for each and every such horse, over and above the damages; which forfeiture shall be recovered, on proof thereof, before any one of His Majesty's Justices of the Peace for the county of Halifax; one half thereof to the prosecutor, and the other half to the use of the poor of the town of Halifax; and where no owner shall appear to pay the costs, damages, and fine, it shall and may be lawful for the Justice of the Peace, who has heard and determined the same, after public advertisement given for ten days, to sell the said horse; and the surplusage, over and above the payment of the costs, damages, and fine, to be restored to the owner when he appears.