

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday the first day of July, 1761, and in the first year of His Majesty's Reign.*

1 George III – Chapter 5

**An Act for preventing Damages by unseasonable burning, or firing of the Woods.**

Whereas setting on fire the woods, and underbrush, in the dry season of the Year, by spreading, has done much damage in the burning houses, fences, hay, &c. And whereas in the present situation of the new settlements, it may be necessary, that such regulations should be made, as will be most convenient and useful for clearing the lands with the least risk,

Be it therefore enacted, by the Honourable the Commander in Chief, Council & Assembly, that the Justices in the several counties within this Province, in their Quarter Sessions to be next held in March, for the said counties, shall give it in charge to the Grand Juries, then and there summoned, to affix and settle such regulations within their respective counties, as they may judge most proper and convenient, to be observed and followed by the several inhabitants within the said counties, for preventing damage by setting fire to, and burning the woods, underbrush, of marsh lands at unseasonable times, with as little prejudice as possible to the clearing of lands in the new settlements. And such rules and regulations as shall be approved of by the Justices of the said Sessions, shall be, and are hereby declared to be the stated rules to be kept, observed, and followed by the inhabitants of the said several counties, for and during the space of twelve months thereafter.

And be it further enacted, that the said Justices, shall in like manner at their annual Sessions thereafter to be held in March, proceed and give in charge to the several Grand Juries in manner aforesaid, and settle and approve of such rules and regulations for the purposes aforesaid, to serve for the year then next ensuing, as to them shall appear most proper and convenient.

And be it also enacted, that the said several Justices in their Quarter Sessions as aforesaid, shall be and are hereby empowered, to settle and appoint such pains and penalties to be inflicted upon the person or persons, who shall neglect or refuse to obey the rules and regulations so to be settled at the said Annual Sessions of the Peace, as to them shall appear to be just and equitable.

Provided, that such pecuniary penalties to be inflicted, shall not exceed the sum of five pounds, and that the prosecution for any offence against this Act, be commenced and prosecuted within the space of three months after the offence committed.