

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.

(on Conviction thereof before any Court of Record) shall forfeit £10. besides the Damages, or if unable to pay, shall suffer two Months Imprisonment or be whipt.

Owners of Horses breaking into Inclosures on the Peninsula of *Halifax*, shall forfeit Ten Shillings for each Horse, besides the Damages,

to be recovered before any one Justice of the Peace.

Where no Owner shall appear, such Horse shall be sold to pay Costs, &c. the Surplus to be restored to the Owner, when he shall appear.

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.