

CAP. VII.

An ACT in further addition to, and in amendment of an Act, made in the Thirty-second year of His late Majesty's Reign, entitled, An Act for preventing Trespasses.

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

WHEREAS many farms in this province are bounded by rivers that are fordable at low water; and whereas it would be impracticable to make any fence that would stand the force of the tides in such rivers: And whereas great damage has been done to such lands by cattle running at large, and the persons to whom such cattle belongs, could not, by law, be prosecuted for a trespass, as such rivers are not deemed a sufficient fence, Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That to all farms which are bounded on rivers where the tide flows eight feet and upwards, at common tides, such river so far up shall be deemed a sufficient and lawful fence.

Preamble.

All rivers shall be deemed lawful fences, where the tide flows eight feet and upwards.

II. And whereas the penalties inflicted by an Act, entitled, An Act for preventing Trespasses, upon persons refusing to serve in the office of overseers of the poor, are insufficient for the end and design of the said Act, Be it enacted, That when and as often as any person nominated as by the said Act is directed, shall refuse to serve the said office, he shall forfeit and pay the sum of five pounds.

Persons refusing to serve as overseers of the poor, shall forfeit 5l.

III. And whereas the sums arising from the penalties for not serving the said office of overseer of the poor, are not appropriated, be it enacted, That all such sums of money, as by virtue of the said penalties have been received, and now remain with the clerk of the Supreme Court, and all such sums of money which may hereafter be received on account of the said penalties, shall be paid to the overseers of the poor, for and towards the relief and support of the poor of the several towns for which they shall be respectively appointed.

Such penalties to be for the relief of the poor.

CAP. VIII.

An ACT in addition to an Act made and passed in the Thirty Third Year of His late Majesty's Reign, entitled An Act in addition to An Act for regulating Petit Juries, and declaring the Qualification of Jurors.

Repealed by the Act 36th. Geo. 3d. cap. 2.

CAP. IX.

An ACT to empower the Supreme Court, at their stated Sitzings in the Town of Halifax, to try Offenders who may be guilty of Felonies in other Counties in this Province.

WHEREAS it often happens that persons are charged with committing felonies in many parts of this province, at a great distance from the town of Halifax, and in such cases His Majesty's Governors have found it necessary and expedient to issue commissions of Oyer and Terminer, and General Goal Delivery, for the trial of such offenders in the proper counties where such offences have been committed: And whereas it has been found by experience, that the executing such commissions in those counties which are situated on the sea coasts, or to which there is no communication by land, has been attended with great expence; in the hire of vessels to carry the Judges and the Officers of the Court, and for their support; and the uncertainty of passages by sea renders it very difficult to procure jurors, and also

Preamble.