

aforesaid by and with the Advice and Consent aforesaid That Lib. L. L. the severall and respective Overseers within their Severall & respective Precincts Do Sett up Posts so many as may be perceived from one to the other which Posts shall be Marked & noched according to the Place they lead to as before in this Act for the Marking and Notching of Roads have been appointed & that the Posts of all Gates through w^{ch} any such Roads shall lead as aforesaid be Marked and Notched as aforesaid under the Penalty aforesaid any thing in this Act to the Contrary Notwithstanding

An Act Concerning the Height of Fences and to punish p. 201
Burners thereof and also to restreine the Multiplicity of horses and Mares &c.

Whereas Diverse people within this Province have and do make insufficient fences about theire Corn fields whereby Cattle & horses are apt to gett in and Destroy the Corne there planted for prevention whereof for the future this present Generall Assembly do humbly pray that it may be Enacted And be it Enacted by the Kings most Excellent Ma^{ty} by and with the Advice and Consent of this present Generall Assembly and the Authority of the Same That all fences w^{ch} are Intended or Designed to inclose Corn Ground or preserve Corne there Planted shall be att the least five foot high quite Round the field well and Sufficiently made in the Judgem^t of Two indifferent men viewing the Same when any Trespass is Comitted and in Case any Horse Mare or Cattle shall leap over or break down any such fence as aforesaid there by getting into such Ground That then the Owner of such horse or horses, Mare or Mares or Cattle shall be lyable to an Action of Trespass if the Damage thereby Sustained shall in Iudgem^t of Two such Persons as aforesaid amount to Two hundred pounds of Tobbacco or upwards or if less the Owner of such Beast or Beasts to be Conveyed before one Justice of the peace in the same County who is hereby Impowered to award such Damages as he shall think Convenient upon such Evidence as shall be produced before him any Law or Custom to the Contrary Notwithstanding and whereas Diverse the good people of this Province have and do Suffer great Damages by the notorious ill Practices of ill disposed and malicious persons burning Fences to the end therefore That so great p. 202 abuses may be either restreined or punished Be it Enacted by the Authority aforesaid That if any Person or Persons whatsoever within this Province shall wilfully & Malitiously Burn pull down or any ways Destroy any Corn field Pasture or