

Lib. L. L. Orchard or any other fence or fences whereby any of the Inhabitants of this Province are or may be harmed or damnified the person or Persons So Offending being thereof Lawfully Convicted by Confession or the Testimony of Two Wittnesses or one Wittness & pregnat Circumstances agreeable thereto shall make Restitution to the party Grieved by paying of Treble the Damage Sustained thereby as the said Justices before whom such matter shall Come shall determine or a Jury in such Case shall award and forasmuch as it often happens that peoples Corn fields are Generally destroyed by the intollerable number of horses and Mares that are usually Suffered to run att Liberty in the Woods and other places thereby going so wild that they are not onely prejudiciall to most of the Neighbourhood but also are of little or no use to the Owners Be it therefore Enacted by the Kings most Excellent Ma^y by and with the Advice and Consent of this present Generall Assembly and the Authority of the Same That from and after the Tenth day of March next after the Publication hereof when and as often as any horse mare or Gelding or any other Beasts shall happen to get into any Corn field wheat or Oat Ground so inclosed with such a fence as is above Mentioned the Owner of Such Ground as aforesaid shall be obliged the first and Second time such beast shall gett into such inclosed Ground as aforesaid to Give
 p. 203 notice to the Owner or Owners of such beast as aforesaid and if the a^d Owner of such Beast or Beasts shall neglect or refuse to restreine such Beast or Beasts from Comitting the like Offence, it shall & may be Lawfull for the Owner or Lawfull Possessor of such Ground to shoot kill or otherwise destroy upon their said Possession such Beast or Beasts That shall Comitt such trespass the third And be it further Enacted by the Authority aforesaid that if the Owner or Owners of any such beast as aforesaid shall not be known to the party or partys Grieved or damnified as aforesaid, he she or they so grived shall and are obliged with two sufficient Evidences, to take notice of the Colour naturall & Artificiall Marks of any such Beasts in Writeing and the same to affix and sett up att the most publick place within the County where such damage as aforesaid shall happen to be done for the Space of one whole month att the end of which no owner appearing it shall and may be Lawfull for the Parties Grieved to Shoot Kill or Destroy upon his her or their Possession as aforesaid any beast or Beasts as afores^d any Law Statute or Custom to the Contrary Notwithstanding.