

C. P. ures of any Inhabitants within this province within the time by this Act Limited as a<sup>d</sup> the said Owner or Owners thereof having notice or warning thereof given him her or them two Sev<sup>n</sup> times by the party Grieved and notwithstanding the Owner or Owners of such horse or horses Mares Colts or Geldings as a<sup>d</sup> Neglecting to performe what is by this Law Injoyned And required that then itt shall and may be Lawfull for the person grieved and Damnified to shoot kill or Destroy any such horse or horses Mares Colts or Geldings as a<sup>d</sup>.

p. 143

Provided always that no person whatsoever tho' grieved or Damnified shall presume to shoote kill or Destroy any such horse or horses as a<sup>d</sup> Except upon his or their proper Inclosed grounds within his or their Lawfull possession by Lease for years yearly rent or other Lawfull tenure upon the penalty of paying the Owner thereof the full Value of such horse Gelding Mare or Colt soe killed or Destroyed to be recovered by Action of Tresspass or Action on the Case in Any County Court of this Province.

And be itt further Enacted by the Authority a<sup>d</sup> by and with the Advice and Consent a<sup>d</sup> that when Ever any horse Mare or Gelding shall break into any Cornfield or other Inclosure and the Owner be not known that then and in all such Cases itt shall and may be Lawfull for the party Aggrieved to take up such horse Mare or Gelding soe Tresspassing and the same to Carry before the next Magistrate who shall be Obliged to take an Account of the Mark of such beasts both Naturall and Artificiall which the party Aggriev'd shall sett up in the most publick places in the same County and Untill the Owner shall be known itt shall and may be Lawfull for such Injured person to use and Employ such horses Mares and Geldings without Incurring the penalties in this Act herein after Imposed not Injuring such beast by any Careless or willfull means which beast shall be Delivered in good order to the person owning the same proving his property by the Testimony of one witness before Any Magistrate.

p. 144

And be itt further Enacted by the Authority a<sup>d</sup> by and with the Advice and Consent a<sup>d</sup> that whosoever shall Unlawfully and without the knowledge and Consent of the Owner take another mans horse Mare or Gelding and the same keep one hour in his possession Except such horse Mare or Gelding be found a Tresspassing as a<sup>d</sup> and the Owner not known and such horse Mare or Gelding shall without Consent a<sup>d</sup> Occupy in any Labour or Travell shall not only pay Damages to the Owner but shall fforfeit and pay the Summe of five hundred pounds of Tob<sup>o</sup> one halfe to the Informer the other halfe to the party Grieved to be recovered in any County Court of this