

is by this Law enjoined and required, that then it shall and may be lawful for the Person grieved and damnified, to shoot, kill or destroy any such Horse or Horses, Mares, Colts or Geldings as aforesaid. C H A P.
XXXI.

III. **Provided** always, That no Person whatsoever, though grieved or damnified, shall presume to shoot, kill or destroy any such Horse or Horses as aforesaid, except upon his, her, or their proper inclosed Grounds, within his, her, or their lawful Possession, by Lease for Years, yearly Rent, or other lawful Tenure, upon the Penalty of paying the Owner thereof the full Value of such Horse, Gelding, Mare or Colt so killed or destroyed; to be recovered by Action of Trespass, or Action on the Case, in any County Court of this Province. But no injured Person may kill such Horses, &c. out of his own Inclosures, on Penalty of paying the full Value,

IV. **And be it further Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That whenever any Horse, Mare or Gelding, shall break into any Corn-Field, or other Inclosure, and the Owner be not known, that then, and in all such Cases, it shall and may be lawful for the Party aggrieved, to take up such Horse, Mare or Gelding for trespassing, and the same to carry before the next Magistrate, who shall be obliged to take an Account of the Marks of such Beasts, both natural and artificial, which the Person aggrieved shall set up in the most public Places in the same County: And, until the Owner shall be known, it shall and may be lawful 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 wilful 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. Stray Horses breaking into Inclosures, how to be taken up, and used, till the Owner be known.

By 1750, ch. 25, the Party grieved who shall take up any trespassing Horse, &c. shall set up the Account of the Marks (taken as above by a Magistrate) at the Court-house Door, and other public Places in the County, within Five Days, and cause the Marks to be recorded among the County Records: And shall cause the same to be published in the *Maryland GAZETTE* within Six Months after such Account taken. And the Expences arising thereon shall be paid by the Owner of such Horse, &c. at the Time of receiving the same. And Persons taking up Horses, and acting contrary hereto, forfeit 30 l. Currency for every Offence.

V. **And be it further Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That whosoever shall unlawfully, and without the Knowledge and Consent of the Owner, take another Man's Horse, Mare or Gelding, and the same keep one Hour in his Possession (except such Horse, Mare or Gelding, be found a trespassing as aforesaid, and the Owner not known) and such Horse, Mare or Gelding, shall, without Consent aforesaid, occupy in any Labour or Travel; shall not only pay Damages to the Owner, but shall forfeit and pay the Sum of Five Hundred Pounds of Tobacco; one Half to the Informer, the other Half to the Party grieved; to be recovered in any County Court of this Province, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law to be allowed. Persons riding or working other Mens Horses, &c. without Knowledge or Consent of the Owner, how punishable.

VI. **And forasmuch** as divers Complaints are made of the Abuses committed by such Persons that have obtained Commissions from the Government to range the Woods and Forests after wild Neat Cattle and Horses; it is prayed that it may be Enacted, **And be it Enacted**, by the Authority, Advice and Consent aforesaid, That it shall not be lawful for any Person, after the End of this present Session of Assembly, to make Application to the Governor, for the Time being, to grant a Commission to range as aforesaid, except such Person produce a Certificate from under the Hands of the Justices of the County Courts where the said Person is to range, setting forth, that he is of good Fame. **And be it further Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That no Person commissioned as aforesaid, shall depute any Person as a Deputy, to range the Woods and Forests after wild neat Cattle or Horses as aforesaid, except such Person be likewise approved of by the Justices of the County in which he is to range as a Deputy. Horse-Rangers and their Deputies, to be approved by the Justices of the Counties where they are to range.

VII. **And**