

impounded, the sum of five shillings, or sixty pounds of tobacco.

SEC. 13. *And*, That in case any stoned colt above eighteen months old, or stoned horse unbroke, shall, at any time after the end of this present session of assembly, be found loose in the woods, or out of such enclosure, it shall and may be lawful for any person whatsoever, to shoot or otherwise kill and destroy such horse or colt, without being accountable or answerable to the owner or owners of such horse or colt, or any other person or persons whatsoever, in any action or suit whatsoever; and in case any person or persons shall at any time be sued for any such shooting, killing or destroying as aforesaid, it shall and may be lawful for such person to give this act in evidence upon the general issue, any law, statute or custom to the contrary notwithstanding.

If found loose, &c. may be shot, &c.

SEC. 14. *And be it further enacted, by the authority, advice and consent aforesaid*, That after the end of this present session of assembly, it shall not be lawful for any person, not having land of his own, nor renting a plantation, to keep any breeding mare or mares in the woods, upon the penalty of six hundred pounds of tobacco for every breeding mare by such person owned and kept, the one-half of which fines to go to his majesty, towards defraying the county charge where such offender shall reside, the other half to the informer, or him or them that shall sue for the same, to be recovered by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

Certain persons not to keep breeding mares, &c.

CHAPTER 37.

AN ACT causing grand and petit jurors and witnesses to come to the provincial and county courts, and ascertaining their allowances.

SEC. 1, 3, 6, 7, 8. Abrogated by the destruction of the provincial court; by April, 1782, ch. 40, sec. 1; 1797, ch. 87; 1807, ch. 79.

SEC. 2. *And be it further enacted, by the authority aforesaid, by and with the advice and consent aforesaid*, That the several sheriffs of the several and respective counties aforesaid, shall cause to come before the justices of the several and respective county courts, a competent and sufficient number of good and lawful men, of the best and most understanding freeholders of their several and respective counties, to serve as jurors of the several and respective county courts, and the several sheriffs shall return pannels accordingly, and give notice to such freeholders ten days before the day of their appearance at the said county courts; and such sheriff or sheriffs as shall make default, shall be fined by the justices of the county courts five hundred pounds of tobacco, to his majesty, his heirs and successors, for the support of the government of this province.

And to the county courts, &c.