

Fences.

I. *An. vi. W. 3. 1699. p. 57.* All Fences designed to enclose Corn Ground shall be at least 5 foot high quite round, and well and sufficiently made. And in case any Horse or Cattel break over any such Fence, the Owner of such Horse or Cattel shall be lyable to an Action of Trespass, if the damage shall in the Judgment of 2 indifferent men amount to 200 *l.* of Tobacco; if less, the Owner of the Cattel shall be had before any one Justice of Peace of the County, who shall award such damages as he shall think convenient.

II. If any person wilfully and maliciously burn, pull down, or any ways destroy any Corn Field, Pasture or Orchard, or any Fence or Fences, and be thereof lawfully convicted, he shall pay treble damages to the Party grieved, as the Justices shall determine, or a Jury award.

III. As often as any Horse, Mare, Gelding or other Beast shall get into any Corn Field or Oat Ground, inclosed with such a Fence before mentioned, the Owner of the Ground shall be obliged to give notice to the Owner of such Beasts, and if he neglect to restrain his Beast, the Owner of the Ground may shoot or kill such Beast or Beasts upon his Possession the third time.

IV. If the Owner of such Beasts shall not be known to the Party grieved or damnified, he or she shall with 2 Witnesses take notice in Writing of the colour, and marks of such Beasts, and set up the same in the most publick place of the County, and if at the end of one month no Owner appears, the party grieved may shoot or kill such Beasts upon his Possession as aforesaid.