

And lastly, it is hereby Enacted by the authority aforesaid by & with the advice & consent aforesaid, that the Justices of the Provincial Court and the Justices of the respective County Courts shall give this Act in charge to the several Grand Jurys and to their several & respective Constables in their said Countys to inquire into the breach of this Act and into all disorders committed in the said Ordinaries and present the same if any be to the several Courts to be examin'd & punish'd according to Law. This Act to endure for three Years and to the End of the next Sessions of Assembly which shall first happen after the end of the said three Years.

An Act ascertaining the height of Fences to prevent the evil occasioned by the multitude of Horses and restraining Horse Rangers within this Province.

BE it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Majestys Governour Council and Assembly of this Province and the Authority of the same, that all inclosures by Fences or otherwise within the intention of this Act hereafter mention'd shall be five foot high, and that from & after the first day of *May* till next the tenth day of *November* next and so yearly & every year all owners of any horse or horses mares colts and geldings shall and are hereby oblig'd to keep all such horse or horses mares colts or geldings within good and sufficient inclosures fenced grounds or pastures upon the pains & penaltys hereafter following. And

Be it further Enacted by the authority aforesaid by & with the advice & consent aforesaid, that if the owner or owners of any such horse or horses mares colts or geldings as aforesaid shall omit to take up drive in & keep up all such horses mares colts or geldings as are before mention'd or intended by default whereof any such horses mares colts or geldings shall break into the Pastures Cornfields or other Inclosures of any inhabitants within this Province within the time by this Act limited aforesaid the said owner or owners thereof having notice or warning thereof given him her or them two several times by the party griev'd and notwithstanding the owner or owners of such horse or horses mares colts or geldings as aforesaid shall neglect to perform what is by this Law injoyn'd and requir'd, that then it shall & may be lawful for the person griev'd & damnified to shoot kill or destroy all or any such horse or horses mares colts or geldings as aforesaid.

Provided allways, that no person whatsoever tho' griev'd or damnified shall presume to shoot kill or destroy any such horse or horses as aforesaid, except upon his her or their proper inclosed ground 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 kill'd or destroy'd to be recover'd by Action of trespass or Action on the case in any County Court of this Province.

And be it further Enacted by the Authority aforesaid, that if the owner or owners of any such horse horses mares colts or geldings shall not be known to the party or party's griev'd or damnified as aforesaid, he she or they so griev'd shall & are oblig'd with two sufficient evidences to take notice of the colour natural & artificial marks of any such horse mare colt or gelding in writing, and the same to affix and set up at the most publick places within the County where such damage as aforesaid shall happen to be done for the space of one whole Month at the end of which no owner appearing it then shall & may be lawful for the party's griev'd to shoot kill or destroy the said horse or horses upon his her or their Lands as aforesaid.

And be it further Enacted by the authority aforesaid by & with the advice & consent aforesaid, that whosoever shall unlawfully and without the knowledge & consent of the owner take another Mans horse mare or gelding, and the same keep one hour in his possession, and such Horse Mare or Gelding shall without consent aforesaid occupy in any labour or travail, shall not only pay damages to the owner, but shall forfeit & pay the sum of five hundred pounds of tobacco, one half to the informer, the other half to the party griev'd, to be recover'd in any County Court of this Province by Action of debt bill plaint or information wherein no *Essoyn* Protection or *Wager of Law* to be allowed.

And forasmuch as divers complaints are made of the abuses committed by such persons that have obtain'd Commissions from the Governour to range the Woods & Forests after wild near cattle & horses, it is prayed that it may be Enacted, And

Be it Enacted by the Queens most Excellent Majesty by & with the Advice & Consent of her Majestys Governour Council & Assembly of this Province and the Authority of the same, that it shall not be lawful for any person after the end of this Sessions of Assembly to make application to the Governour 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 & with the advice and consent