

1437
Neglecting to perform what is by this Law enjoined and
required that then it shall and may be lawful for the
Person grieved and Damaged to shoot kill or Destroy any
such horse or horse Mare Colt or gelding as aforesaid
provided always that no person whatsoever
tho' grieved or Damaged shall presume to shoot kill
or Destroy any such horse or horse away except upon
his or their proper inclosed grounds within his or their
lawful possession or lease or any other
lawful tenure upon the penalty of paying the Owner of
them of the full value of such horse gelding mare or colt
so killed or Destroyed to be recovered in action of Treason
or action on the case in any County Court of this pro-
vince

And be it further Enacted
By the Authority aforesaid and with the Advice and Consent
of that when ever any horse Mare or gelding shall
break into any Cornfield or other Inclosure and the Owner
or be not known that then and in all such cases it
shall and may be lawful for any 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 Mark of such horse
colt Mare and to publish a notice to the party aggrieved
that it may in the most publick place in the same
County and until the Owner shall be known it shall