

Charge where the said Offence or Offences is committed, the other Part to the Party grieved, or to him or them that shall sue for the same; to be recovered, as aforesaid.

AND whereas the extravagant Multitude of useless Horses, Mares, and Colts, that run in the Woods, are found very Pernicious and Burthensom to the Inhabitants of this Province, it is thought necessary, that some suitable Remedy be provided in that Behalf; and therefore, Be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid; That from and after the End of this present Session of Assembly, all Stoned Horses shall be kept within good and sufficient Inclosures: And in case any Stoned Horse or Horses, that have been taken up and broke, fit for Use, shall happen to be found loose, and out of such Inclosures, it shall and may be lawful, for any Person or Persons whatsoever, to take up and impound, or cause to be taken up and impounded, in some open Pound, and there to detain him, on the Risque of the Owner thereof, or cause him to be so detained, until the Owner or Owners of such Horse, having speedy and convenient Notice of such Impounding, shall satisfy unto the Person so Impounding, or causing such Horse to be impounded, the Sum of Five Shillings, or Sixty Pounds of Tobacco. 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 Inclosure; 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 and 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.

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 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 Essoign, Protection, or Wager of Law, to be allowed.

*Pass'd June 3d, 1715.*