

109 To provide & dammifyed to shoot Kill or Destroy all or any such Horses Mares
Colts & Geldings as aforesaid.

It is provided always that no person whatsoever who is grieved or
Dammifyed shall presume to shoot Kill or Destroy any such Horses or Horses as
aforesaid except upon his her or their proper Mares & found within his her or
their lawful possession by lease for years yearly rent or other lawfull tenures upon
the penalty of paying the Owner thereof the full value of such Horse Gelding
Mare or Colt so Killed or Destroyed to be recovered 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 parties grieved or dammifyed as aforesaid the party
or parties so grieved shall and are obliged with two sufficient Evidences to take
Notice of the clear Natural and artificial Marks of any such Horse Mare Colt
or Gelding in writing and the same to affix and set up at the most publick place
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 and may be lawfull for the party or parties grieved 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 and
with the Advice and Consent aforesaid that whosoever shall unlawfully and
without the Knowledge and Consent of the Owner take another Mans Horse Mares
or Gelding and the same keep or have in his possession and such Horse Mares or
Gelding shall without Consent aforesaid occupy in any Labour or Trade shall not
only pay Damages to the Owner but shall forfeit and pay the sum of five hundred
pounds of Tobacco One half to the Informer the other half to the party grieved
to be recovered in any County Court of this province by Action of Debt Bill Plaint or
Information without any Effray Protection or Wager of Law to be allowed.

And for as much as divers Complaints are made of the Abuses Committed
such persons that have obtained Commissions from the Governour to range the Woods
Horses after Wild Beasts and Horses it is prayed that it may be Enacted and

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 it shall not be lawfull for any person whatsoever

(and)