

The Acte Concerning the height of  
Fences

Whereas sundry people in this Province have and  
 doo make insufficient Fences about their fowling  
 woods by cattle and horses and apt to yod in and destroy  
 the said fowling woods of whiche for the future  
 it Enacted by the Lord Proprietary by and with the con-  
 sent of the s<sup>r</sup>veigns and lower houses of this present Gen-  
 erall Assembly that all fowling woods within  
 this Province shall be five futes in height round by  
 said fute sufficient and strongly made in the Judgmt.  
 of two indifferent men viewing the same in case of  
 trespass And in case any horse or horses or other cattle  
 shall happen to be up & over such fence as aforesaid or  
 break it downe it being sufficient and strongly made  
 as aforesaid that then the owners of such horse or  
 horses or other cattle shall be liable to pay the dam-  
 = 1000 And in case the said fence be not soe high that  
 then the owner or owners of such fowling woods shall  
 beare their owne losse committed by the horse horses or  
 cattle as aforesaid And in case any Inhabitant in  
 this Province shall venture to kill any horse horses  
 or other cattle the party soe killing shall forfeite  
 pay unto the party ground for much to beare as the  
 County Court where such offence is committed shall  
 Judge the damage or losse to be.

And soe it further Enacted that all trespasses or  
 other damages done by any person shall be adju-  
 dyed by the respective County Courts where such offence shall  
 be committed and the Viewers of such damage or trespass  
 as aforesaid shall restore the same unto the said County  
 Court upon oath the 10th of the next month from and  
 after the said and twentieth day of March next  
 then to endure for three yeares or to the End of the next  
 Generall Assembly

The Lower House have Assented  
 Will Britton  
 The s<sup>r</sup>veigns & lower houses have  
 Assented  
 John Gittings