

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

In. Act, to amend an. Act, entitled an additional Act, to an Act, entitled
an. Act to prevent killing-Deer at unreasonable times, and for putting a stop
to many. Abuses committed by white Persons, under pretence of Hunting. 167

Whereas by the before recited Act, Persons who have
no settled Habitation, or not tending Five thousand Corn Mills, are prohibited
from Hunting, under the Penalty of Five Pounds, and forfeiture of his Gun,
which by experience, has been found not to answer, the (purposes intended by the
said Act; many disorderly and dissolute Persons, having no Habitation of their
own, still continue to hunt on the King's Estate, and the Lands of other Persons,
and kill Deer; and have the Carcasses in the Woods, by which means the
Helves, Stems, and other Trees, are fed and raised, to the great Damage of
many of the Inhabitants of this Province; and the Fines, being difficult of
recovery, by means of Persons, having no property of their own, assembling in
great Numbers and jumping in the Woods, and kill Deer, burn and destroy
the Fences, burn Fences, and commit many other Injuries to the Inha-
bitants of this Province; and associate for the mutual protection and Defence
of each other against any Person or Persons, who shall attempt to execute any
Process on any of them; for Remedy whereof,

Be it Enacted by the
Governour, Council and Assembly and by the Authority of the same;
That, from and after the first Day of January next, no Person in habit and
Habit of; (aves excepted) not having a Household of One hundred Acres
of Land within this Province, or tending Ten thousand Corn Mills, at least
five feet distance each, shall Hunt or kill Deer under the Penalty of Ten
Pounds Proclamation Money for every Offence; and moreover shall forfeit
his Gun or the value thereof, to be recovered by Action of Debt, Debt, Claim, or
Information in any Court of record within this Province, by any Person
who will prosecute for the same, without any Expence, over and above
the

the said Penalty and Forfeiture as aforesaid, the Defendant shall be committed to Goal by Order of the Court, there to remain without Bail or Mainprize for One Month,

And it is further Enacted by the Authority aforesaid, that upon Action of Debt, Information, or Indictment being prosecuted for the above Penalty, the Sheriff who shall execute the Writ shall take Two sufficient Securities for the Defendant's Appearance, at the Court to which the same by the Tenor thereof is made returnable, which Bail so taken, shall be subject and liable as in other Cases, and on failure thereof, or an exception being taken to the said Bail, the same shall be deemed insufficient, then, and in that case, the Sheriff shall stand and be taken as Special Bail.

Provided nevertheless, that the Sheriff may surrender the Defendant in discharge of himself, at any time before final Judgment had against the Defendant.

Provided also, that nothing herein contained shall extend to bar or hinder, an Overseer of a Slave, or Slaves, from hunting and killing Bees, within a Gun, on his Employers' Lands, or the Master Lands of the King, or Lord Grenville, within five Miles of the residence of such Overseer.

And Whereas by reason of the Innovations, of many illegal proceedings of sundry of the Inhabitants of this Province, the County Gaols are become almost useless, many Persons who are committed thereto being released by force, the said Gaols being remote from the residence of the Sheriffs, who might prevent such Breaching as aforesaid, by raising sufficient Force, for that purpose: therefore

It is Enacted by the Authority aforesaid, that upon Suit being commenced, on Action of Debt, Information &c. in a Superior Court

Court; if the Defendant shall fail to give such Security as aforesaid, that then, the Sheriff shall commit the Defendant to the Goal of the Superior Court for the District to which the same is made returnable.

And be it further Enacted by the Authority aforesaid, that the Sheriff shall have, for the services he shall perform, in a Suit brought as aforesaid, the same Fees and Allowances as in other cases, on Actions brought, Information or Indictment prosecuted, and subject and liable for taking greater Fees, in the same manner as in other cases.

And be it further Enacted by the Authority aforesaid, that no white Person, whatever, shall on any pretence, presume to Hunt with Dogs, or otherwise, or drive or kill any Deer or Game, on any Persons Lands, without leave of the Owner of such Land, under the penalty of Five Pounds proclamation Money for each Offence, to be recovered by Action of Debt, in the Inferior Court of the County, ~~wherein the Offence shall be committed, by the Owner~~ of the said Land.

Wm Pryor

Jas Hasell President

John Harvey Speaker

Read three times and Ratified
in open Assembly this third
day of December 1768