

## CAP. XXXVIII.

An ACT to enable the JUSTICES of the PEACE, of the several counties in this province for the time being, to receive, for public uses, GRANTS of LANDS lying in their respective counties, and to regulate the COMMONS belonging to the several townships or parishes within the same.

Preamble.

WHEREAS there are several tracts of land reserved in the different counties of this province for public uses, and whereas it is necessary that persons be empowered to receive grants as well of the said lands as of such other lands as may hereafter be so reserved or granted, that the intent for which they have been or shall be so reserved or granted, may be carried into execution.

Justices of the peace authorized to receive grants of lands in trust for public uses.

I. *Be it enacted by the Governor, Council and Assembly*, That the justices of the peace in each county shall be and are hereby authorized and empowered, by the stile and title of the justices of the peace of the county of \_\_\_\_\_ for the time being, to accept, receive and retain in trust for the public uses therein specified, any grant or grants of lands lying in the said county, and such trust to execute: and all grants so as aforesaid made, are hereby declared to be good and valid in law.

May bring actions concerning such lands and may lease the same.

II. *And be it further enacted*, That the said justices, by the stile and title aforesaid, shall be able, and in law capable to bring and maintain any action of trespass or ejection of, or concerning any the lands so granted to them in trust as aforesaid. And to lease for a term of years any such lands so granted to them, or heretofore given to public uses, to the best advantage, except the use is expressly given in such grant to some particular person or persons or body corporate.

Justices in their sessions to affix and settle regulations for the inhabitants of towns respecting commons.

III. *And be it also enacted*, That the justices in their several general sessions of the peace, to be held for the several counties in this province, shall from time to time affix and settle such regulations as they may think most proper and convenient to be observed and followed by the inhabitants in the several townships within such county, in regard to the commons belonging to the same, and such regulations so made, affixed and settled, shall be and are hereby declared to be the stated rules to be kept, observed and followed, by the inhabitants of each respective township; and that if any person shall transgress any such rules and regulations

Persons transgressing or refusing

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tions so to be settled and affixed, or shall neglect or refuse to obey the same, such person shall forfeit and pay a fine not exceeding forty shillings for every such offence, and in case such offender shall refuse or neglect to pay the fine, then it shall and may be lawful for any two of his Majesty's justices of the peace, to grant a warrant of distress for levying the same in the usual manner, one half to be to the person complaining, and the other half for the use of the poor of the township where the offence shall be committed, and in default of such distress, to commit such offender for any space not exceeding ten days.

ing to obey such regulations to be fined not exceeding 40s.

### CAP. XXXIX.

## An ACT for the PRESERVATION of MOOSE.

**W**HEREAS the wanton destruction of moose has been carried to an alarming degree by persons who kill the same in great numbers, taking only the skins and leaving the carcases in the woods; and as such proceedings must be extremely detrimental and would if not timely prevented go near to extirpate that useful animal, on which the remote settlers in this province in a great measure depend for their subsistence, for remedy whereof and to preserve to the inhabitants of this province so valuable a support.

Preamble.

I. *Be it enacted by the Governor, Council and Assembly,* That if any person or persons, after the first day of March next, shall kill or destroy any moose, taking away only the skin or skins, leaving in the woods the carcases or carcase or a quarter thereof, until the same become putrid and unfit for food, or shall kill moose in such quantities and at such distances from the several settlements of this province that it shall appear evident that such person or persons had no probable means to bring the meat either to market or to convey it home, for their own or the sustenance of their neighbours.

Persons killing or destroying moose, taking the skins and leaving the carcases in the woods to become putrid or at unreasonable distances from settlements shall forfeit 40s. and the skins.

Such person or persons shall for every such offence forfeit the sum of forty shillings for every such moose so killed, as also all the skin or skins of such moose wantonly and illegally destroyed, contrary to the true intent and meaning of this act, the one half of which forfeitures shall be to him or them who shall inform and sue for the same before any one of his Majesty's justices of the peace in such county where the offence shall have been committed, who is hereby empowered to hear and determine the same upon the oath of one or more credible witness or witnesses; and the other half to the poor of the county where the offence shall have been committed; such sum to be levied by warrant of distress