

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

Prosecution  
within 4 months

This act not to  
extend to persons  
killing moose for  
their support on  
journeys.

Continuance of  
the act.

and sale of the offender's goods; and in default of such distress the offender to be committed to the county gaol for two calendar months, or until payment be made. *Provided*, That any offence committed against this act shall be sued for within four calendar months after the same shall have been committed. *Provided also*, That nothing contained in this act shall be construed to extend to persons travelling upon their lawful occasions, and not for the purpose of hunting thro' uninhabited parts of this province, and who may have occasion to kill moose merely for support on their journey. *Provided also*, That this act shall continue and be in force for two years, from the said first day of March, and no longer.

### CAPXL.

## An ACT to oblige ABSENT PROPRIETORS to pay a proportion of any public charge, and to repair highways.

Preamble.

**W**HEREAS there are many persons who own lands in counties where they do not reside, whose lands are enhanced in their value, by the labor of those who are present.

Non-resident  
proprietors of  
land &c. to pay  
their proportion  
of charges assess-  
ed thereon, and  
of labor on high-  
ways.

I. *Be it enacted by the Governor, Council and Assembly*, That each and every such proprietor or proprietors of any lands, tenements or hereditaments, within this province, shall pay or cause to be paid, his, her, or their just quota or proportion of all charges hereafter to be assessed on the lands within such county, and upon failure thereof, the same to be recovered, as may be directed by the laws empowering such assessment, and each and every non-resident proprietor or proprietors of such lands, tenements or hereditaments, shall be obliged to do and perform his, her or their parts or proportion of labor on the highways, streets, roads and bridges, within their respective limits, or pay for the same as delinquent inhabitants.

Such delinquent  
proprietors being  
absent or not ap-  
pearing within 6  
months after  
public notice in  
the Royal Gaz-  
ette; justices  
may let out their  
lands, or, if ne-  
cessary, may or-  
der the sheriff to  
sell the same to  
pay such charges  
and costs.

II. *Be it also enacted*, That if any proprietor or proprietors of any real estate as aforesaid, shall be absent, and no person appear in their behalf within six months after public notice being given in the Royal Gazette, to pay his, her or their quota or proportion of any assessment as aforesaid, made by virtue of any law of this province, or of labor on highways, streets, roads and bridges as aforesaid, and not having any goods and chattels to answer his, her or their quota or proportion of any charge made as aforesaid, it shall and may be lawful for any three of his Majesty's justices of the peace, *quorum unus*, who are hereby empowered to let out such part of the delinquent's lands as may be sufficient to pay, by the