

the full depth of the swine's neck above the neck, and half so much below the neck, and the soal or bottom of the yoke three times as long as the breadth or thickness of the swine's neck.

And for the rendring this act more effectual,—

Be it further enacted,

Hog-reeves to be annually chosen.

[SECT. 4.] That every town within the province, at their annual meeting in March, for the choice of town officers, shall chuse two or more hogreeves, but not the same persons more than once in four years; and in case any town shall at any time hereafter neglect to ch[u][oo]se hogreeves at such meeting, that in every such case the selectmen of the town are impow[e]red and [re][in]quired to appoint hogreeves, until [l] a suitable number do accept and are sworn, whose duty it shall be, upon complaints to them or either of them made, to take due care that this act be duly observed, and to prosecute the breakers thereof; which hogreeves shall be sworn to the faithful and impartial discharge of their office; and if any person so chosen or appointed shall refuse or neglect forthwith to be sworn as afores[ai]d, or neglect his duty in s[ai]d office, he shall forfeit and pay twenty shillings to the use of the poor of such town; and upon his refusal, another shall be forthwith appointed in his room by the selectmen, to be under the like penalty, and so 'till others will accept the s[ai]d office; w[hi]ch penalty shall be recovered by a prosecution before one of his majesty's justices of the peace in the county where such person dwells. And if, upon neglect of any town to chuse according as by this act they are required, the selectmen of such town shall fail of appointing hogreeves, as they are by this act directed, they shall forfeit and pay the sum of twenty pounds for such neglect; the one half to his majesty, for and towards the support of the governm[en]t, the other half to him or them that shall prosecute for such neglect in any of his maj[es]ty's courts of record within this province; and if it shall appear that any of the selectmen were ready and willing to do their duty required by this act, the penalty or forfeiture shall be laid on those only who shall be negligent of their duty by this act required.

Penalty for neglect or refusal.

Provided,

Limitation.

[SECT. 5.] That this act continue and be in force for the space of ten years from the publication thereof, and to the end of the then next sitting of the general court, and no longer. [*Passed April 25; published April 27, 1747.*]

CHAPTER 27.

AN ACT TO PREVENT DAMMAGE BEING DONE UNTO NOSSETT MEADOW, BY CATTLE AND HORSE-KIND FEEDING ON THE BEACH ADJOINING THERETO.

Preamble.

WHEREAS many persons frequently drive numbers of neat-cattle and horse-kind to feed upon the beach called Nosssett Beach, adjoining to Nosssett Meadow, in Eastham, whereby the ground is much broken, and the sand blown away, so that the said beach is in great danger of being totally broke away, and by that means the meadow adjoining will be greatly damnified, if not wholly lost,—

Be it therefore enacted by the Governour, Council and House of Representatives,

Proprietors empowered to erect and maintain a fence.

[SECT. 1.] That the proprietors of the meadow and beach, called Nosssett Beach and Meadow, are hereby impowered, at their own cost

and charge, according to each one's interest, to erect and maintain a fence, such a one as they shall agree upon, from the enclosed land of Joseph Mayo to the southerly end of the land called the Table-land at the seaside, for the preservation of said beach and meadow.

And it is further enacted,

[SECT. 2.] That from and after the publication of this act, no person or persons shall presume to turn or drive any neat cattle or horse-kind upon said meadow or beach between the first of March and the last of November annually, upon the penalty of ten shillings a head for all neat cattle and horse-kind that shall be turned or found feeding on said beach and meadow between the said first of March and last day of November aforesaid; which penalty shall be recovered by the selectmen or treasurer of the said town of Eastham, or any other person that shall inform and sue for the same, the one-half of the said forfeiture to him or them who shall inform and sue for the same, the other half to be to and for the use of the poor of said town.

Penalty for turning or driving cattle to feed on Nossett Meadow, &c.

And be it further enacted,

[SECT. 3.] That if any ne[e][a]t cattle or horse-kind shall, at any time hereafter, be found feeding on the said beach or meadow, between the first of March and last of November as aforesaid, that it shall and may be lawful for any person to impound the same, and to proceed in every other respect agre[e]able to an act made in the sixteenth year of his present majesty's reign, entitled "An Act to prevent damage being done unto Billingsgate Bay, in the town of Eastham, by cattle and horse-kind and sheep feeding on the beach and islands adjoining thereto"; and also said town to proceed in the method mentioned in the aforesaid act in their choice of officers, to look after said Nossett Meadow and Beach.

Cattle found feeding contrary to this act, to be impounded, &c.

1742-43, chap. 11.

[SECT. 4.] This act to continue and be in force for the space of five years from the publication thereof, and no longer. *Passed April 25; published April 27, 1747.*

CHAPTER 28.

AN ACT TO PREVENT THE DESTRUCTION OF THE MEADOW[S] CALLED SANDY-NECK MEADOW, IN BARNSTABLE, AND FOR THE BETTER PRESERVATION OF THE HARBOUR THERE.

WHEREAS there is a certain parcel[1] of salt meadow call[e]d Sandy-Neck Meadow, in the township of Barnstable, on which many of the inhabitants of that and other towns, greatly depend for their hay, and the said meadow lies adjoining to a sandy beach near six miles in length, on which no fence can be made to stand; and by reason of neat cattle and horses being turned thereon to feed, the beach grass is destroyed, and the said beach trod loose, by reason whereof in high winds and storms the sand blows upon said meadow, and into said harbour, and the whole of said meadows are in great danger of being covered with sand, and also said harbour in great danger of being spoiled, by the sand's blowing therein, if not timely prevented,—

Preamble.

Be it therefore enacted by the Governour, Council and House of Represent[at]ives,

[SECT. 1.] That from and after the publication of this act, no person or persons shall presume to turn or drive any neat cattle or horse-kind, to or upon said Sandy Neck, any where to the eastward of Sandwich line, to feed thereon, upon the penalty of ten shillings a head for

No person to turn or drive cattle, &c., on Sandy Neck, on penalty.