

Form of certificate.

“ Mr. Treasurer :

This may certify that there hath been paid unto sundry persons out of the town stock of for grown wolves, and wolves' whelps, killed in and near unto our town, and within this province, since the day of last past, and the heads thereof brought unto our constable or constables, and the ears cut[t] off in the presence of some of ourselves, as the law directs, (and so certified unto us) in the whole, the sum of pounds, w[h]ich sum we desire you to allow to our town, by paying the same unto our town treasurer. Dated in aforesaid, the day of anno Domini 17

} Selectmen.

} Town Treas[ure]r.”

[Passed November 18; published December 19.]

## CHAPTER 9.

### AN ACT FOR THE BETTER REGULATING OF SWINE.

1693.4, chap. 7,  
§ 7.  
1713.14, chap.  
16.  
1716.17, chap. 9.

WHEREAS it is found that the provision by law made for the regulation of swine going at large, hath proved insufficient for preventing great damages being done in cornfields, meadows, pastures, &c., and that the additional act for the better regulation of swine going at large, is near expiring,—

*Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,*

No swine to go at large.

[SECT. 1.] That from and after the fifteenth day of March next, no swine shall be suffered to go at large, or be out of the inclosure of the owner thereof, under the penalty of three shillings for each swine, for the first offence, and six shillings for the second offence, together with costs of prosecution, to be forfeited and paid by the owner of such swine found going at large, as aforesaid; which fine or forfeiture, together with the charge of prosecution, may be recovered by the proper hogreeves, or any other person, by bill, plaint or information, before any one of his majestie's justices of the peace in such county where such forfeiture shall arise, or by impounding such swine and proceeding with them as the law hath directed in case of impounding.

*And whereas* it may so happen that the owner of such swine as go at large may not be known,—

Swine going at large to be impounded.

[SECT. 2.] In such case, the party that finds any swine going at large, shall have power to impound them; and if no owner appear within forty-eight hours, or appearing, do neglect or refuse to pay the forfeiture, together with the charges, that then the party impounding them shall cause them to be cried or posted up in the town where they [were] [are] impounded, and in the two towns next adjoining; and shall likewise cause the marks of the swine to be entered with the town clerk, and shall relieve such swine during the time they are in pound.

No owner appearing, &c., swine to be sold.

[SECT. 3.] And if no owner appear and pay the said penalty and charges within ten days after such impounding, then such swine shall be sold, at an outcry, to the highest bidder, by two suitable persons to be appointed and sworn to the faithful discharge of their trust by the next justice of the peace, or town clerk, where no justice dwells; which sellers shall give publick notice of the time and place of such sale twenty-four hours beforehand; and out of the proceeds of such sale shall pay unto the party the said forfeiture and costs, as by bill allowed by said justice or town clerk; and the surplusage thereof he shall deliver to the treasurer of such town to be kept for the

unknown owner; and if no owner do appear within the space of one year, then the town treasurer shall deliver the one half of the said surplussage to the prosecutor, the other half to the overseers of the poor, for the use of the poor of such town.

*Provided, nevertheless,*

[SECT. 4.] That it shall be in the power of any town, in a town meeting for that purpose appointed, by a vote, to give liberty for swine going at large within the bounds of such town; and in such case it shall be lawful for any and every person or persons to suffer his or their swine to go at large, anything in this act before contained to the contrary notwithstanding.

*Provided alwa[*y*][*ie*]'s,*

[SECT. 5.] That every person suffering his swine to go at large by v[*i*][*e*]rtue of such town vote, shall (before he suffer his swine to go at large, as aforesaid) cause each of them to be well and sufficiently yoked, and ringed in the nose, and constantly kept so ringed and yoked; otherwise he shall be liable to, and shall pay, the forfeiture and cost as is by this act before mentioned and provided: *saving* that they may go unyoked from the last day of October to the first day of April.

And, to the intent all persons may know what a sufficient yoking doth mean,—

*It is hereby declared,*

[SECT. 6.] That no yoke shall be accounted sufficient which is not the full depth of the [*swine's*] neck [of the swine] above the neck, and half so much below the neck, and the sole or bottom of the yoke three times so long as the breath or thickness of the swine's neck.

And, for the rendring this act more effectual,—

*Be it further enacted by the authority aforesaid,*

[SECT. 7.] That every town within this province, at their annual meeting in March to choose town officers, shall choose two or more hogreeves, but not the same person more than once in four years, whose duty it shall be to take due care that this act be duely observed (and in order thereto, shall pass through their precinct at least once every fortnight) and to prosecute the breakers thereof; who shall be sworn to the faithful[*l*] and impartial discharge of their office.

[SECT. 8.] And if any person so chosen shall refuse or shall neglect forthwith to be sworn, as aforesaid, or neglect his duty in said office, he shall forfeit and pay twenty shillings, to the use of the poor of such town, and upon his refusal another shall forthwith be chosen in his room, to be under the like penalty, and so till others will accept the said service; which penalty shall be recovered by a prosecution before one of his majest[*y*][*ie*]'s justices of the peace in the county where such person dwells.

[SECT. 9.] And if any town shall neglect to choose such officers at their town meeting in March annually, or, on [their] refusal, to choose others, till a suitable number accept, they shall forfeit and pay the sum of twenty pounds for each neglect, the one half to his majesty for and towards the support of the government, the other half to him that shall prosecute for such neglect in any of his majest[*y*][*ie*]'s courts of record within the province.

*Provided,*

[SECT. 10.] That this act shall not extend to any town s[*c*]ituate eastward of the town of Wells, nor continue in force longer than the end of the session of this court in May, *anno* one thousand seven hundred and twenty-six. [*Passed December 3; published December 19.*]