

# The London Gazette.

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## Anno Nono ANNÆ REGINÆ.

*An Act for making the Act of the Fifth Year of Her Majesty's Reign, for the better Preservation of the Game, Perpetual, and for making the same more Effectual.*

Whereas the Act made in the Fifth Year of Her Majesty's Reign, Intituled, *An Act for the better Preservation of the Game*, will Expire at the end of this present Session of Parliament, unless the same be Continued: And whereas the said Act hath been found to be an useful Law for the Preservation of the Game of this Kingdom, Be it therefore by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That the said recited Act, and all the Clauses, Matters and Things therein contained, shall stand in full Force and Virtue, and be continued, and deemed, and taken to be a perpetual Law, subject nevertheless to the Additions or Alterations herein after in this Act contained: That is to say, Whereas by the said recited Act, any Lord or Lady of a Manor might appoint several Game-keepers in the same Manor, and every one of the Game keepers so appointed might kill any Game in the same Manor; for the preventing therefore of the Destruction of the Game of this Kingdom, which may happen by appointing several Game-keepers in the same Manor, with Authority to kill the Game therein, Be it further Enacted by the Authority aforesaid, That from and after the First Day of May, 1711. no Lord or Lady of a Manor shall make, constitute or appoint above one Person to be a Game-keeper within any one Manor, with Power or Authority to kill or destroy the Game thereof; and that the Name of such Person, so to be authorized to kill the Game, shall, from time to time, be entred with the Clerk of the Peace, for the time being, of the County, Riding, or Division wherin such Manor doth lie, such Entry to be made and viewed without Fee or Reward, and a Certificate thereof to be granted by the Clerk of the Peace, upon payment of One Shilling for the same; and in case any other Game-keeper, whose Name shall not be so entred as aforesaid, who shall not be otherwise qualified by the Laws of this Kingdom to kill Game, shall presume to kill any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, or if any Game-keeper or Game-keepers, or other Person or Persons whatsoever, not being qualified in his own Right to kill Game, shall sell or expose to sale any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, the respective Offender or Offenders herein, shall for every Offence incur such Forfeitures, Pains and Penalties as are inflicted by the said recited Act upon Higlers, Carriers, Innkeepers or Victuallers, for buying or selling of Game; such Forfeitures to be recovered by such means, and in such manner and form, and within such time, and to such uses, as are prescribed by the said Act; Any thing in the said recited Act, or in any other Law or Statute to the contrary thereof in any wise notwithstanding.

Heath-Game or Grouse, shall be found in the Shop, Houfe or Possession of any Person or Persons whatsoever, not qualified in his own Right to kill Game, or being entituled thereto under some Person so qualified, the same shall be adjudged, deemed, and taken to be an exposing thereof to Sale, within the true intent and meaning of this and the said recited Act; Any thing in this or in the said recited Act contained to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall take, kill or destroy any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse in the Night-time, the Person or Persons so offending shall likewise for every such Offence incur such Forfeitures, Pains and Penalties as aforesaid, to be recovered likewise by such means, within such time, and to such uses as aforesaid.

And whereas very great Numbers of Wild Fowl, of several Kinds, are destroyed by the pernicious Practice of driving and taking them with Hayes, Tunnels and other Nets, in the Fens, Lakes, and broad Waters, where Fowl resort in the Molting-time, and that at a Season of the Year when the Fowl are Sick, and Molting their Feathers, and the Flesh unsavory and unwholsom, to the prejudice of those that buy them, and to the great damage and decay of the Breed of Wild Fowl; Be it therefore further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, between the First Day of July, and the First Day of September, as they shall Yearly happen, shall by Hayes, Tunnels or other Nets, drive and take any Wild Duck, Teal, Widgeon, or any other Fowl, commonly reputed Water-Fowl, in any of the Fens, Lakes, broad Waters, or other Places of resort for Wild Fowl in the Molting Season, such Person or Persons who shall so offend, and thereof shall be Convicted before any one or more of Her Majesty's Justices of the Peace for the County where such Offence shall be committed, by the Oath of one or more Credible Witness, shall for every Wild Duck, Teal, or other Water-Fowl so taken as aforesaid, forfeit and pay the Sum of Five Shillings, one Moiety thereof to be paid to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed; the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the Justice and Justices of the Peace before whom the Offender shall be Convicted, rendering the Overplus, if any be, above the Penalty and Charge of Distress; and for want of Distress the Offender or Offenders shall be Committed to the House of Correction for any time not exceeding one Month, nor less than fourteen Days, there to be Whipt, and kept to hard Labour; and the Justice or Justices of the Peace before whom such Person or Persons so offending shall be Convicted, shall order such Hayes, Nets or Tunnels, that were used in driving and taking the said Wild Fowl, as aforesaid, to be seized and immediately destroyed, in the presence of such Justice or Justices.

*Cologne, July 1. N. S.* The Count de Rechteren having been at Coblents, whither he was sent from the States-General to execute a Commission with the Elector of Treves, is preparing to set out from thence to Frankfort, and will suddenly proceed from that Place to some other of the German Courts. They write from Ausburg, that Dr. Newton, late Envoy from the Queen of