

then next Provincial Court, in order to such trial, and the Party presented, if in Court, shall also be bound over; but if not in Court, proceeded against in due course of Law.

If any Person or Persons whatever kill any unmarked Swine, above Three Months old, if not on their own Land, and in Company with his own Hogs, he shall be adjudged a Hog Stealer, and shall be liable to restore fourfold, and suffer such corporal pains as against the above Offence of stealing.

If any Person kill such unmarked Hogs in the Woods or elsewhere, or shall wilfully disfigure or cut off the Ears of such Swine, so as to conceal the true and real Mark, or shall mark Hogs formerly unmarked, he shall be deemed and adjudged an Hogstealer, within the Purview of this Act, and shall suffer accordingly.

If any Person convicted of the above, or any other Crimes, or of evil Fame, or a Vagrant, or dissolute Liver, shall shoot, kill or hunt, or be seen to carry a Gun, upon any Persons Land whereon there is a seated Plantation, without the Owners Leave, having been once warned before, he shall forfeit and pay *One Thousand Pounds* of Tobacco, one half towards the Support of the Government, the other half to the Party grieved or those who will sue for the same.

No Sheriff, Jaylor, Clerk, Cryer or other Officer, shall charge either the County or the Publick, with any Fees for any Criminal, but the Criminal himself, if he has Effects or is able by Servitude to pay the same. Provided that this shall not extend to Malefactors that are executed, or to Servants Criminals for whom the County shall pay Fees.

THE Fees paid for Criminal Servants, shall by them be repaid the County at the Expiration of their Servitude; and the Commissioners are empowered to make Inquisition after them, and their Masters or Owners are enjoined and required at Expiration of their Servitude, to render and deliver them up to the Sheriff, under the Penalty, on their refusing or neglecting so to do, of making Satisfaction to the County of all such Fees so paid out on their Account.

Passed April } ACT to regulate Prosecutions in Cri-  
10th, 1722. } minal Cases.

NO Attorney General, Clerk of the Peace or of Indictments, shall exhibit any Bill of Indictment to any Grand Jury, against any Person whatever, without an express Order from the Governor and Council, or from the Court where the Prosecution is to be, or some one of the Justices of said Court, or unless the Offender be bound over to such Court, or that the Grand Jury find or make a Presentment of the Offence, of their own Knowledge, upon Penalty of paying the Party grieved all the Damages and Charges that shall be occasioned by such Prosecution.

ACT