

shall after be again presented for Thieving and Stealing of any Goods or Chattels, laid to be above the Value of Twelve Pence, it shall not be tried and determined by any County-Court; but the Party presented, upon such Presentment, shall be proceeded against in the Provincial-Court as a Felon, for Simple Felony, but shall not be punished by Death, but only paying the Four-fold, Branding with an Hot Iron, or such other Corporal Punishment as the Court shall adjudge, saving Life; and such Presentment shall be, by the Clerk of every such County-Court, immediately sent to the then next Provincial-Court, together with a Transcript of his former Conviction, if such Conviction was in the same Court where the Presentment aforesaid shall be, or otherwise made known to the Attorney-General, in what other Court such former Conviction was, if to him known, under the Penalty of Five hundred Pounds of Tobacco, to our Sovereign Lord the King, His Heirs and Successors, for the Support of Government: And the Parties, Witnesses against such Felons, if in Court at the Time of such Presentment, shall be bound over to give Evidence, as aforesaid; or otherwise, if not in Court, an Account of their Names, and Places of Dwelling, to be sent to the Attorney-General, to be summoned against the then next Provincial-Court, in order to such Trial; and the Party presented, if in Court, to be bound over also by due Course of Law, to answer such Presentment; or if not in Court, proceeded against by due Course of Law, as aforesaid.

AND be it further Enacted by the Authority, Advice, and Consent aforesaid, That if any Person or Persons whatsoever, that shall kill any unmark'd Swine above Three Months old, if not upon his or their own Land, or not in Company with his or their own Stock, shall, and is hereby adjudged, an Hog-stealer, and shall be liable to restore Four-fold, and suffer such Corporal Pains as against the first Offence in this Act mentioned.

AND to prevent any Person or Persons concealing or disfiguring the Mark of any Swine, killed, as aforesaid; Be it further Enacted by the Authority, Advice, and Consent aforesaid, That if any Person or Persons, killing any such unmark'd Swine in the Woods, or elsewhere, and shall wilfully disfigure the Mark, or cut off the Ears of such Swine, so as to conceal the true and real Mark, or whether it were mark'd or not, shall be deemed and adjudged a Hog-stealer within the Purview of this Act, and shall suffer accordingly.

AND to prevent the abusing, hunting, or worrying of any Stock of Hogs, Cattle, or Horses, with Dogs, or otherwise; Be it Enacted, That if any Person or Persons whatsoever, that have been convicted of any the Crimes aforesaid, or other Crimes, or that shall be of evil Fame, or a Vagrant, or dissolute Liver, that shall Shoot, Kill, or Hunt, or be seen to carry a Gun, upon any Person's Land, whereon there shall be a seated Plantation, without the Owner's Leave, having been once before warned, shall forfeit and pay One thousand Pounds of Tobacco; one Half to our Sovereign Lord the King, His Heirs and Successors, the other Half to the Party grieved, or those who shall sue for the same; to be recovered in any County-Court of this Province, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, to be allowed.

AND be it further Enacted by the Authority, Advice, and Consent aforesaid, That from henceforth no Sheriff, Goaler, Clerk, Cryer, or other Officer, shall charge either their own County, to which they belong, or the Publick, with any Fees for any Criminal committed to the Charge of the said Sheriff, or Goaler, having sufficient Estate in this Province wherewith to pay the same, or being capable to pay the same by Servitude; but that such Criminals being discharged by Order and due Course of Law, shall pay their own Fees to Sheriff, Goaler, Clerk, and Cryer, and other Officers, being such as they may demand according to Law, either out of his Estate, or by Servitude, or otherwise: Provided always, That this Act shall not extend to Malefactors