

this Province, and the Authority of the same, That it shall and may be lawful to and for the several Justices of the County-courts of this Province, to hold Plea of, adjudge, and in lawful Manner determine all Thieving and Stealing of any Goods or Chattles whatsoever, not being above the Value of One Thousand Pounds of Tobacco, (Robbery, Burglary, and House-breaking excepted,) and every Person or Persons legally convicted of any such Thieving and Stealing, (except before excepted) by Testimony of One sufficient Evidence, not being the Party grieved, before any such County-court as aforesaid, shall and may cause to be punished by paying Four-fold of the Value of the Goods so Thieved or Stolen as aforesaid, and the Stolen Goods returned to the Party or Parties grieved thereby, and by putting in the Pillory and Whipping so many Stripes as the Court before whom such Matter is tryed shall adjudge (not exceeding Forty;) which Court shall always adjudge the Value of the Goods so thieved and stolen as aforesaid ; and if any such Person so convicted, have not sufficient Goods and Chattles, or be a Servant, whereby he is incapable to have Goods and Chattles to satisfy, and pay the said Four-Fold, in every such Case such Person or Persons shall receive the corporal Punishment as aforesaid, and satisfy the Four-fold and Fees of Conviction, by Servitude.

County Courts may punish Thieving to the Value of 1000l. Tob.

By what Testimony and how.

And be it hereby Enacted and Declared, by the Authority, Advice and Consent aforesaid, That the Time of Service of a Free Person, convicted as aforesaid, not having Goods and Chattles as aforesaid, shall commence from the Time of his Conviction as aforesaid; and the Time of Service of a Servant, Convict as aforesaid, shall commence at the Expiration of such Time of Servitude, to which, at the Time of his Conviction he stood Bound ; which Time of Servitude for Satisfaction for the stolen Goods and Fees accrued as aforesaid, shall be adjudged by such County-Court, either to the Party grieved, or any other Person the Court shall order such Convict to, that will then and there pay, or secure to be paid the Four-fold and Costs aforesaid, at the Discretion of the Court. And if any Person or Persons shall receive or take Part of such stolen Goods, or assist the Person so stealing as aforesaid, to make away or conceal them, being legally convicted as aforesaid, shall suffer the same corporal Pains with the Party stealing as aforesaid: Any Law, Statute, Usage or Custom to the contrary, notwithstanding.

How four-fold to be paid by Servitude.

Receivers of Stolen Goods, to suffer like Punishment.

And if any Person or Persons have been once convicted of any such Thieving and Stealing (except before excepted,) and shall after be again presented for Thieving and Stealing of any Goods or Chattles, laid to be above the Value of Twelve Pence, it shall not be tryed 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 a 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 ; 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

How the 2d Offence to be punished and proceeded against.