

such of them as shall be present, upon the Affidavit of the Plaintiff or other Evidence of his Cause of Action, given to the Satisfaction of the Court, to award Special Bail against the Defendant in such Action, and for default of such Bail, to commit him to the Sheriff or Coroner's Custody, till he find such Special Bail, as is usual in other Cases.

**ACT for the more speedy Trial of Criminals, and ascertaining their Punishment in the County Courts, when prosecuted, and for Payment of Fees due from Criminal Persons.**

*Passed April 26th, 1715.*

**I**T shall and may be lawful to and for the several Justices of the County Courts, to hold plea of, adjudge and in lawful manner determine all thieving and stealing of any Goods whatsoever, not being above the Value of *One Thousand Pounds* of Tobacco, (Robbery, Burglary and House breaking excepted,) and every Person thereof legally convicted, by Testimony of one sufficient Witness, to punish by paying fourfold of the Value of the Goods so thieved or stolen, and the stolen Goods returned to the Party grieved, and by putting on the Pillory and Whipping, not exceeding Forty stripes; which Court shall always adjudge the Value of the Goods so thieved and stolen; and if the Person convicted is unable to pay the Fourfold, then he shall be punished as above, and satisfy the Fourfold and Fees of Conviction, by Servitude, commencing from the Time of the Conviction, (if a free Man) and, (if a Servant) after Expiration of the Time of his Servitude; which time of Servitude shall either be adjudged 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 Fourfold and Costs.

WHATEVER Person or Persons shall receive or take part of such stolen Goods, or assist the Person so stealing, to make away or conceal them, (being thereof legally convict) shall suffer the same corporal Pains with the Person stealing them.

IF the Person once convicted, shall be again presented for thieving or stealing of any Goods and Chattels above the Value of *Twelve Pence*, he shall not be tried by the County Court, but proceeded against in the Provincial Court as a Felon, for simple Felony, but shall not be punished by Death, but only by paying the Fourfold, branding with a hot Iron, or such other corporal Punishment as the Court shall adjudge saving Life. And such Presentment, with a Transcript of the former Conviction, shall be by the Clerk of Court, immediately sent to the then next Provincial Court; but if the former Conviction was not in that Court, the same shall be made known to the Attorney General, in what Court the same was, under the Penalty of *Five Hundred Pounds* of Tobacco, for support of the Government; and the Witnesses against such Felon, if in Court, at the Presentment, shall be bound over to give Evidence, but if not in Court, a Note of their Names and Places of Residence shall be sent the Attorney General, to be summoned to the  
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