

a Lawe of England in the Judgement agt. a Condemnation of Criminally
 being to rigorous a practice & punishment for this Province to exact and
 execute touching many offenders guilty of the offences hereafter men-
 tioned. By means whereof all prosecutions agt. offenders through man-
 times for small crimes & offences, & of small value have bene hindered
 & brought to the Prov. Court of this Province, the Justices who
 of only have power of life & member to the very great vexation &
 trouble of the good people of this Province a greater parte of the Province
 lying so remote from the Prov. Court that they many times forbear
 to prosecute offenders by reason of the excessive charges of coming to
 the Prov. Court & bringing their witnesses to prosecute, so that the
 offenders many times go unpunished to the great encouragement of
 transgressions & for that also the Prov. Courts are not held about three
 or four times in the year, speedy Justice for small crimes is deferred &
 the party arrested many times lies a long time in prison before their
 tryall, to the very great charge of the party whom may bee in his
 tryall acquitted, or if convicted the charge many times falls on the
 County where the offender lieth or on the County, to the great burthen
 of the Province for the prevention whereof for the future, Act is enacted
 by the Right Honourable the Lord Prop. by & with the advice & consente
 of the upper & lower houses of this present Generall Assembly and the
 Authority of the same that it shall & may bee lawfull to & for the
 Generall & Respective Justices or Commission. of the Generall & Respective
 County within this Province, in their severall Respective County
 Courts, to hear & determine all Theftings or Stealings whatsoever
 Robbery Burglary & house breakings only excepted, whether it be of
 any Horse Ware Riding Colt Bow Bait or Bull Steer Lamb
 Swine or Game of Quails Hagg or any manner of Poultry or other
 goods or Chattels whatsoever not exceeding the value of about
 one thousand pounds of Tobacco, & all & all manner of persons
 thereof lawfully convicted by due Course of Law in any of the
 County Courts aforesaid shall or may cause to bee punished by whipping
 or Pillorying or both, as the Justices before whom such Conviction shall
 happen to bee, shall thinke most agreeable to the deterritt of the offender
 any Law statute or Usage to the contrary notwithstanding. And bee it
 further enacted by the Authority aforesaid, that any offender Thefting
 or Stealing as aforesaid that shall bee convicted thereof by Confession of
 the party, or by one sufficient or lawfull witness or Evidence not being
 the party injured or dampnified shall restore four fold to the owner of the
 thing or goods soe stolen or purloyned as aforesaid, the value thereof to
 bee adjudged by the Court where & when the offender shall bee convicted
 as aforesaid, any Law statute or Usage to the contrary notwithstanding
PROVIDED always that all Convictions as aforesaid bee upon a
 verdict of twelve lawfull men of the Virility of the County, hood, not of the
 wife. **PROVIDED** nevertheless that whosoever person or persons
 whatsoever shall at any time hereafter happen to bee arrested or Con-
 victed as aforesaid of any the Crimes aforesaid in any the County Courts
 aforesaid, to the value of or about one thousand pounds of Tobacco,
 shall afterwards happen to commit the like Crime to that value the Just-
 ices of the County Courts shall have power to hold plea of the Breach
 But if the party shall happen the third time to commit the like Crime
 then the Justices of the severall County Courts shall not have power to
 hold plea thereof, but shall commit the said party arrested to prison till hee