

any Person was convicted before the making the said first recited Act, or did then stand attainted of any Offence whatsoever for Death, by Law, ought to be inflicted. Or where any Offenders should be thereafter convicted of any Crime whatsoever, for which by Law they ought to be excluded the Benefit of Clergy; and his Majesty, his Heirs, or Successors, should be graciously pleased to extend Royal Mercy to any such Offenders, upon Condition of Transportation to any Part of *America*, and such Intention of Mercy should be signified by one of his Majesty's principal Secretaries of State; It should and might be lawful for any Court, having proper Authority, to allow such Offenders the Benefit of a Pardon, under the Great-Seal, and to order and direct the like Transfer and Conveyance to any Person or Persons (who would contract for the Performance of such Transportation,) and to his and their Assigns, of any such before-mention'd Offenders. As also of any Person or Persons, convicted of Receiving Stolen Goods, knowing them to be Stolen, for the Term of Fourteen Years; in case such Condition of Transportation be general; or else for such other Term or Terms as should be made Part of such Condition, if any particular Time be specified by his Majesty, his Heirs, and Successors, as aforesaid: And that such Person or Persons, so contracting as aforesaid, his or their Assigns, by Virtue of such Order of Transfer as aforesaid, should have a Property and Interest in the Service of the said Offenders, for such Term of Years.

*And whereas* by the Statute of the Sixth Year of the Reign of his late Majesty, Entituled, *An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons*, It is Enacted, That all the Powers and Authorities which are given by the said recited Act of the Fourth Year of the Reign of his late Majesty, to any Court before whom any Felons and Offenders tried for, and convicted of any Offence, for which they might be sent or transported to any of his Majesty's Colonies or Plantations in *America*, should and might be observed and executed by any other subsequent Court, with like Authority, held for the same County, Riding, Division, or Liberty; were, or should be, tried or convicted: And that such Court might appoint, if they should think fit, two or more Justices of the Peace, of the said County, Riding, Liberty, or Place, where such Offenders were or should be convicted; who should have Power and Authority to contract with any Person, or Persons, for the Performance of the Transportation of such Felons and Offenders, who by Order of such Court, or Courts, were to be sent to any of the Colonies or Plantations aforesaid; and to order such like sufficient Security to be given; (as the aforesaid recited Act directs, to be taken by Order of Court) and also to cause such Felons, pursuant to such Contract, to be delivered by the respective Goalers, in whose Custody they were, or should be, or might be, to the Person or Persons contracting for the same, or to his or their Assigns.

*And whereas* several Masters of Ships, and other Vessels, importing the said Felons and Offenders into this Province, have neglected to bring any Testimonial of the Offences whereof the said Felons, and Offenders, have been convicted; or whereby it might appear whether they were obliged to serve Seven Years, or Fourteen Years, which hath already occasioned Disputes and Controversies between the Persons entituled to the Service of such Felons, and Offenders, and the Felons and Offenders themselves, concerning their Terms of Servitude, and may occasion many more, as well as give some of the said Felons, and Offenders, Opportunities of returning from their Transportation before the Expiration of the Terms they have been or may be transported for, contrary to the true Intent and Meaning of the said Statutes.

*And whereas* several other Masters of Ships, and Vessels, have Imported several Felons, and other Offenders, into this Province, and made private Contracts with such Felons, and Offenders, for a less Time of Servitude than is prescribed by the said Acts, and disposed of the said Felons, and other Offenders,