

Duty of Justices  
in the Examina-  
tion and Bail-  
ment of Prison-  
ers, &c.

**XXXVIII.** *And be it further enacted,* That the Justices of the Peace, before whom any Person shall be brought for any Murder, Manslaughter, or Felony, or on Suspicion thereof, shall take the Examination of such Prisoner, and Information of those that bring him, of the Fact and Circumstances thereof; and the same, or as much thereof as shall be material to prove the Fact, shall be put in Writing, and the same shall certify, together with the Bailmen of such Prisoner (in case the Crime whereof such Prisoner is charged is bailable) at the next Sessions of Oyer and Terminer, or Gaol Delivery, to be holden within the Limits of their Commission: And that the said Justices shall bind all such by their Recognizances or obligation as do declare any thing material to prove such Murder, Manslaughter, or Felony, against such Prisoner, to appear at the next Session of Oyer and Terminer, or Gaol Delivery, to be holden within the County where the Trial of such Murder, Manslaughter or Felony shall be, then and there to give Evidence against such Prisoner; and that the said Justices shall certify the said Bonds or Recognizances taken before them, in like manner as the Examinations of such Prisoners, and the Witnesses, are herein before directed to be certified.

Preamble.

**XXXIX.** *And whereas* a most infamous Practice has long prevailed, among certain thievish and unprincipled Persons in this Island, of some-times taking Flats, Canoes and other Boats, from their Moorings or Fastenings and at other times robbing the same of their Rope, Chain, or other thing by which the same were moored or fastened, without License or Leave of the Owners of such Flats or Boats first had and obtained: Wherefore, for the effectual Suppression of such infamous Practice in future,

Persons taking  
Boats, &c. from  
their Fastenings or  
Moorings,

*Be it enacted, by the authority aforesaid,* That all Persons who shall, from and after the Publication of this Act, take and carry away any Flat, Canoe, or other Boat, fastened and moored as