

at the Time of making this Act, in the same manner as if this Act had not been made.

Women, or Servants,
killing Husbands, or
Masters, &c. guilty of
Petit Treason.

XXXVII. *Be it enacted*, That if any Woman, with Malice prepense, shall kill, or procure any other Person or Persons to kill, her Husband ; or if any Servant, with Malice prepense, shall kill, or procure any other Person or Persons to kill, his or her Master or Mistress, the Person so Offending their Counsellors, Aiders, and Abettors, privy to the Offence, shall, upon due Conviction, be adjudged guilty of Petit Treason, and suffer Death without benefit of Clergy accordingly.

Duty of Justices in
the Examination and
Bailment of Prisoners,
&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 Licence 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 Fas-
tenings, or Moorings,
to be adjudged guilty
of Felony.

XL. *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 aforesaid at any Place whatever in this Island, or any Rope, Chain, or other Thing, by which they shall or may be so moored or fastened, or any of the Oars, or other Apparel or Furniture thereunto belonging, without Leave for that Purpose first had and obtained of the Owner or Owners of such Flats, Canoes, or Boats, or of some Person or Persons having lawful authority to give such License or Leave, shall be deemed and adjudged guilty of Felony, and upon Conviction thereof, in due course of Law, shall, for the first Offence, be sentenced to pay a Fine not exceeding Five Shillings, and for the second Offence Ten Shillings, and for the third and every other Offence, Fifteen Shillings.

CAP.