

reduce to writing all the testimony that may be given to the Jury on Trials before them had, but that instead thereof it shall suffice to report only the main scope and substance thereof, and that the execution in every case to the amount aforesaid, given by either of the Courts of Sessions of the Peace of the said New Districts, shall also await the signification of the pleasure of the Governor or Commander in Chief in the manner afore-mentioned.

Persons convicted of a Capital Offence in the New Districts, may be conveyed to any of His Majesty's Prisons.

VI. And be it also enacted by the same authority, that until the New Districts aforesaid shall be furnished with safe Gaols and Prisons, and as the majority of the Commissioners of such Courts of Oyer and Terminer and General Gaol Delivery sitting therein, shall conceive it to be unsafe to continue within their District any Prisoner convicted before them of a Capital Offence, they may take course for conveying him to such other of His Majesty's Prisons, as they may designate, for his being safely kept to abide the Judgment of the Law; and the Sheriff and Gaoler, Bailiffs and Officers, to whom any such Traitor or Felon shall have been delivered, shall be respectively answerable for the Prisoner, and upon his escape shall severally be subject to all such punishments, pains, penalties and forfeitures, as they would respectively have incurred, had such Prisoner received such Judgment upon a conviction for the like offence, committed within the Bailiwick for which they serve.

Petty Larceny extended to twenty shillings Sterling.

VII. And whereas the detention of prisoners until the sitting of the Court of King's Bench or the sitting of Commissioners of Oyer and Terminer and General Gaol Delivery, hath been very burthenſome to the Public, and is likely to be encreased by the insufficiency of the Gaols in the Old Districts, and the total want of them in the New Districts, and it often happens that persons committed for simple larcenies are either acquitted or only found guilty of petty larceny, be it therefore enacted by the same authority, that simple larceny, where the goods stolen shall not in value exceed twenty shillings sterling money of Great-Britain, shall be deemed and adjudged only petty larceny, and whenever any person shall stand committed to gaol for no higher offence, than a breach of the peace or petty larceny, and shall not, within forty-eight hours after his commitment find bail sufficient in the opinion of any one Justice of the Peace for his appearance at the next Sessions of the Peace for the District where the offence is charged to be committed, it shall be lawful for any three Justices of the Peace (one of whom shall be of the Quorum) to meet and cause the offender to be convened before them at some public and convenient place, and then and there or at such other time and place to which they may adjourn, to hear the charge and defence with the Evidence for and against the prisoner, and to determine the same, and upon their conviction of the Guilt of the prisoner, to give Judgment against him for such corporal punishment (not extending to Life or Limb) as they or the major part of them shall in their discretion think adequate to the demerit of his offence, and that after the execution thereof the offender shall be discharged; but if he shall not have been a stated Resident of the Province for twelve months preceding his commitment, and shall in twenty days after his discharge be found within the same District, and shall willfully have remained in the same, it shall be lawful for any one Justice to commit him to prison, and for three Justices to proceed against him in manner aforesaid, and to adjudge him to such further correction (not extending to Life or Limb) as they in their discretion shall think proper, unless he shall find good and sufficient sureties in the opinion of the Justices by whom he shall be tried to recognize in such sum as they shall appoint for his good behaviour for seven years, on giving which he shall be set at liberty, and the recognizance be filed with the Clerk of the Peace.

Three Justices (one being of the Quorum) empowered to hear and determine, breaches of the Peace and Petty Larceny.