

[Section XII.] And be it further enacted by the authority aforesaid, That the sheriff of every respective county shall meet and attend the judges into and out of their respective bailiwicks; which said judges shall be allowed out of the respective county rates, during their sitting and traveling in that service, twenty shillings each for every day, which shall be in lieu of all other charges and provision.

Passed October 28, 1701; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, the Ordinance for Establishing Courts, and the Act of Assembly, passed February 28, 1710-11, Chapter 168.

CHAPTER CVII.

AN ACT DIRECTING THE PUNISHMENT OF LARCENY UNDER FIVE SHILLINGS.

Whereas by the seventh law of this government, made at Newcastle in the year one thousand seven hundred,¹ the punishment for stealing is very severe, and the manner of prosecuting such offenders may be tedious, as also very chargeable; for the preventing whereof:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That if any person within this government shall at any time hereafter steal any goods whatsoever, under the value of five shillings, it shall and may be lawful for any justice, before whom such offender shall be brought, upon proof thereof to punish such person or persons by ordering him or her to be publicly whipped upon his or her bare back, not exceeding fifteen lashes, and restore the goods to the party wronged, or pay the value thereof; and also shall [sic] pay the charge of whipping and prosecution, any act or law in this government to the contrary in anywise notwithstanding.

Passed October 28, 1701; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II; repealed by an Act of Assembly, passed May 31, 1718, Chapter 236.

¹ Passed November 27, 1700, Chapter 7.