

officer so apprehending him or her, shall be deemed a rogue and vagabond within the true intent and meaning of this Order: and it shall be lawful for any stipendiary justice of the peace to commit such offender, being thereof convicted before him, on his own view, or by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses, to any lawful place of imprisonment, there, or on the public streets or highways, to be kept to hard labour for any time not exceeding twenty-eight days; and every such picklock, key, crow, jack, bit, and other implement, and every such gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon, and every such instrument as aforesaid, shall, by the conviction of the offender, become forfeited to Her Majesty for the use of the colony.

III. And it is hereby further ordered, that every person breaking or escaping out of any place of legal confinement, before the expiration of the term for which he or she shall have been committed or ordered to be confined, by virtue of this Order, and any person committing any offence against this Order, which shall subject him or her to be dealt with as a rogue and vagabond, such person having been at some former time adjudged so to be and duly convicted thereof, and every person apprehended as a rogue and vagabond, and violently resisting any constable or other peace officer so apprehending him or her, shall be deemed an incorrigible rogue within the true intent and meaning of this Order. And it shall be lawful for any stipendiary justice of the peace to commit such offender to any lawful place of confinement, there to remain until the next session of the court for the trial of criminal prosecutions, then and there to be dealt with as hereinafter directed.

IV. And it is hereby further ordered, that it shall be lawful for any police officer or constable whatsoever to apprehend any person who shall be found offending against this Order, and forthwith to take and convey him or her before some stipendiary justice of the peace, to be dealt with in such manner as hereinbefore directed.

V. And it is hereby further ordered, that it shall be lawful for any stipendiary justice of the peace, upon oath being made before him, that any person hath committed, or is suspected to have committed, any offence against this Order, to issue his warrant to apprehend and bring before him, or some other stipendiary justice of the peace, the person so charged, to be dealt with as is directed by this Order.

VI. And it is hereby further ordered, that when any such idle and disorderly person, rogue, and vagabond shall give notice of his or her intention to appeal against the conviction of him or her, and shall enter into recognizance as hereinafter directed to prosecute such appeal, such stipendiary justice shall require the person by whom such offender shall be apprehended, and the person or persons whose evidence shall appear to him to prove the offence and to support such conviction, to become bound in recognizance to Her Majesty, Her heirs and successors, to appear at the next session of the court for the trial of criminal prosecutions, to give evidence

against such offender touching such offence; and the court for the trial of criminal prosecutions is hereby authorised and empowered, at the request of any person who shall have become bound in any such recognizance, to order the colonial treasurer to pay unto such prosecutor, and unto the witness or witnesses on his or her behalf, such sum or sums of money as to the court may seem reasonable and sufficient to reimburse such prosecutor and such witness or witnesses respectively for the expences he, she, or they shall have severally been put to and for his, her, or their trouble and loss of time in and about such prosecution:—which order the clerk of the court is hereby directed and required forthwith to make out and deliver to such prosecutor, or unto such witness or witnesses; and the said colonial treasurer is hereby authorised and required, upon sight of such order, forthwith to pay unto such prosecutor, or other person or persons authorised to receive the same, such money as aforesaid; and the said colonial treasurer shall be allowed the same in their account. And in case any such person or persons as aforesaid shall refuse to enter into such recognizance, it shall be lawful for such stipendiary justice to commit such person or persons so refusing to any lawful place of confinement, there to remain until he, she, or they shall enter into such recognizance, or shall be otherwise discharged by due course of law.

VII. And it is hereby further ordered, that when any person shall be committed for trial before the said court for the trial of criminal prosecutions, charged with being an incorrigible rogue, it shall be lawful for the court to examine into the circumstances of the case, and, on conviction, to order, if they think fit, that such offender be imprisoned in some lawful place of confinement, and there, or on the public streets or highways, to be kept to hard labour for any time not exceeding six calendar months from the time of making such order.

VIII. And it is hereby further ordered, that in case any constable or other peace officer shall neglect his duty in anything required of him by this Order, or in case any person shall disturb or hinder any constable or other peace officer in the execution of this Order, or shall be aiding, abetting, or assisting therein, and shall be thereof convicted upon the oath of one or more witness or witnesses, before the court for the trial of criminal prosecutions, every such offender shall for every such offence for which any sum not exceeding twenty pounds. And in case such offender shall not forthwith pay such sum so forfeited, the same shall be levied by distress and sale of the offender's goods, by warrant from such court; and if sufficient distress cannot be found, it shall be lawful to commit the person so offending to any lawful place of confinement, there to be kept for any time not exceeding thirty days, or until such fine be paid, and the court shall cause the said fine, when paid, to be paid over to the colonial treasurer for the use of the colony.

IX. And it is hereby further ordered, that it shall be lawful for any stipendiary justice of the peace, upon information on oath before him made, that any person hereinbefore described to be an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue, is or are reasonably suspected to be