

Offenses Against Property

Cases involving thefts are found scattered through the *Liber*. Upon complaint that he had stolen money from the pockets of William Cooper, late clerk of the county, when stripping his body, Thomas Date was committed to the stocks for two hours following an examination by the justices sustaining the charge. Thomas Duly, accused of stealing a saddle, was bound over and then cleared by proclamation after "the truth of the matter" was heard by the court. Elinor Browne, presented for taking money from the pocket of John Mortemore, was found not guilty by a petty jury.⁴⁹ Elizabeth Plumer, presented for feloniously sending persons to steal produce and bacon at the plantation of Thomas Wells, was also found not guilty by a petty jury. However, Jonathan Bryar, also presented, confessed to stealing such produce, received 20 lashes, and was ordered to pay 200 pounds of tobacco to Wells as four-fold damages. Bryar and Wells were ordered to give security of £5 apiece for the former's good behavior and appearance at the next court and for payment of all fees due officers of the court.⁵⁰

At the August 1698 court Matthew Mockeboy was presented by the clerk of the indictments for feloniously stealing some goods and money "Contrary to his Majesties Peace his rule and Dignity etc." When the grand jury refused to bring in a true bill, the court, of the opinion that a true bill should be returned, ordered Mockeboy to find security to answer at the next Provincial Court. In accordance with this order Mockeboy entered into a £100 bond to appear and answer; two securities put up £50 each. In April 1699 Mockeboy pleaded guilty in the Provincial Court and was fined 1,000 pounds of tobacco.⁵¹

At the March and August 1699 courts five persons were presented for hog stealing. In two instances the offenders were tried by petty juries. One found guilty was sentenced to the pillory for an hour and ordered bound in the sum of £10 for good behavior until the next court and for all fees due; the other, found not guilty, was nevertheless also ordered bound in £20 recognizance for his good behavior until the next court. In a third case, a *nolle prosequi* was entered when no evidence was forthcoming.⁵²

At the January 1696/7 court two persons, presented for stealing a heifer "Against the peace of our Sovereigne Lord the King the good Lawes of his Kingdom of England and this province," were found not guilty of stealing by a petty jury but guilty of killing the heifer "by reason they have putt up the Eares." Each was ordered to enter into a £10 recognizance for good behavior and appearance at the next court where they were cleared by proclamation. At the November 1698 court a true bill was found against two women on suspicion of killing "a beef" but, as far as the *Liber* shows, they were not tried for the offense.⁵³ At the June 1699 court five persons were presented for feloniously killing and stealing two calves contrary to act of assembly. After a jury trial three were found guilty and sentenced to one hour in the pillory and to pay three-fifths of the four fold damages (allowed by law) suffered by the owner or 480 pounds of tobacco. The two others, pleading guilty, received 20 lashes each and were ordered to pay 320 pounds of tobacco as four-fold damages.⁵⁴

At the August 1696 court, when Thomas Pingle complained that William Bladen

49. *Infra* 38, 84–85, 93, 97, 105, 458–60.

50. *Infra* 458, 493–95, 523.

51. *Infra* 362–63; *PCJ, Liber WT, No. 3*, 12–13.

52. *Infra* 458, 484, 493, 523, 548–49, 553.

53. *Infra* 71, 129–30, 175, 394.

54. *Infra* 491–92.