

When the owner after complaining of a thief to a Justice, or at
 tor the felon is taken, takes his goods or compounds with
 him or consents to his escape, which is accessory guilt af-
 ter the fact because he did once act against the offender crimi-
 nally. But if for pursuit of the thief, the owner of the goods
 stolen retakes them and suffers the felon to escape, he is
 any Complaint made to a Justice he is not Obligable as
 accessory: because it was in his option as Justice to his
 Civilly or Criminally, Nelson Justice of peace p. 9. 5.
 47 By the law of Scotland the Master or Justainer of a
 thief, if Required by the party whose goods are stolen, is
 bound to deliver him up to a Justice or to the said party, the
 Justice may condemn upon him, Under the pain of being
 guilty as an aid and party, and of Making Restitution of
 Par. i. J. 5. 54 One is an aid and part of theft by Receiving
 Wittingly the thing stolen and punishable as that thief
 Stat. Henr. 2 cap. 21. What is the Immediate Receiver
 thereof is punishable as the thief Henr. 2 Crim. part
 Tit. 20 57. For the Mediate felons of the goods of the
 who dare not come to Markets thereof banish only
 banishment and Esc. heat of Movable Act 109 Par. 11
 J. 6. Ghost and Robel of theft in lands Men are the same
 way punished Act 30 Par. 11 J. 6. For the thief Master
 Common theft only or such frequently committed were
 formerly liable to the pain of treason; and among the
 of receipt of theft the not Common received the said
 pain Act 30 Henr. 2 Crim. part 1 Tit. 34 52 and
 Now are punishable with Death J. 6. cap. 21 57. The
 Receipt of Silver Work stolen out of a Dwelling
 house that was broke into Under Bond of Night;
 was found Relevant to suffer the pain of Death's Man
 1701 William Frazer to Alexander Anderson. One
 having harboured and concealed in his house persons
 with goods stolen out of another Mans house some
 few hours before, and taken some of these goods into

his custody; it was sustained relevant to make him liable
 only to an Arbitrary punishment for so doing, that he
 kept a publick house on the Road for travellers. But
 the pocket Book of him from whom the said goods were
 stolen, having been found upon the person of the said
 Innkeeper concealed behind his back and his shirt,
 that had sustained the relevant separation to suffer the pain
 of death against him 10 Aug. 1714 John Grant and
 others. Both man and wife are punishable if accessory to
 one another the Henr. 2 Crim. part 1 Tit. 20 55. And
 the very concealing of theft is Criminal even in a per-
 vent who doth not reveal his Masters theft. But a Wife
 is not bound to accuse her husband or to disclose his
 theft; because she is under his power, Stat. Will. cap. 19
 81 89. Henr. 2 Crim. part 1 Tit. 20 55 86. By the law of
 England any person Receiving or buying knowingly any
 stolen goods, or knowingly harbouring or concealing stolen
 goods, or knowingly harbouring or concealing stolen
 are guilty of felony 5 H. 6. cap. 31 58. For, he who buys
 stolen goods for much less than he knows they are really
 worth, seems to consent to the stealing; and it appearing
 by the Undervalor, that the seller came not honestly by
 these goods, it is presumed that the buyer knows them to be
 stolen, Stat. Henr. 2 Crim. part 1 Tit. 17 n. 16. 82 84. 67 97
 are an aid and part of theft and punishable with Death
 and Esc. heat of Movable Act 21 Par. 1 Act 102
 of thieves or pay them blackmail Act 21 Par. 1 Act 102
 Par. 21 J. 6. 18. Money or any gratuity for their protection
 because such person maintain and correspond with the
 thieves, and do not discover them. But payment of that
 kind being ordinarily the effect of fear, the Justice do
 not sustain it nor so to infer any severe punishment
 unless some thing of Compliance or a long tract of pay-
 ment to libel the Henr. 2 Crim. part 1 Tit. 34 infra.
 When the owner of stolen goods raised the hue and cry
 for help against thieves (called quiritatio by the Roman
 all before and obliged to receive upon pain of being
 Report