

vants, Slave or Slaves, or permitting or suffering them to be about their Houses or Plantations, shall forfeit and pay at the Rate of One Hundred Pounds of Tobacco for every Hour each Servant or Slave shall be by him, her, or them, so entertained or permitted or suffered to be about his, her, or their House or Plantation as aforesaid; to be recovered in a summary Way, before a single Magistrate, with Costs, if the Penalty does not exceed Six Hundred Pounds of Tobacco; and if it does exceed Six Hundred Pounds of Tobacco, then to be recovered by Action of Debt, Bill of Indictment, Plaint, or Information, in the County Court where the Offence shall be committed, wherein no Effoin, Protection, Wager of Law, or above one Imparlance, shall be allowed; the one Half whereof, shall be applied to the Use of the Public School of the County wherein such Forfeiture shall happen, and the other Half to the Party grieved, provided he or she shall Prosecute for the same within three Months next after the Offence committed; otherwise to the Informer, or him or them who shall sue for the same; Provided such Suit be commenced within Twelve Months after such Offence committed.

C H A P.
XIX.

How to be re-
covered.

Fines of Pro-
secution, &c.
limited.

III. And be it further Enacted, That if it shall appear to any Magistrate before whom any Conviction for Breach of this Act shall be had, that the Offender is unable to pay or give good Security for the Penalty aforesaid, it shall and may be lawful for such Magistrate, to punish such Offender, by Whipping on the bare Back with such Number of Stripes, not exceeding Thirty-nine for any one Offence, as to him shall seem meet, and to require Security for the good Behaviour of such Offender, for and during the Term of Six Months then next following.

In default of
Payment, Of-
fenders to be
punished by
Whipping,

and give Se-
curity for
good Beha-
viour.

IV. And be it further Enacted, That if any Servant or Slave, shall wittingly or willingly harbour or entertain any other Servant or Slaves, unlawfully absent from his, her, or their Master, Owner, or Overseer, for and during the Space of one Hour, or longer, it shall and may be lawful for any Magistrate, and he is hereby required, upon Complaint to him made, immediately to issue his Warrant against such Servant or Slave so Harboursing or Entertaining as aforesaid, and upon satisfactory Proof of such Harboursing or Entertaining, to punish the Offender or Offenders, by Whipping with such Number of Stripes, on the bare Back, as to him shall seem proper, not exceeding Thirty-nine for any One Offence.

Servants or
Slaves har-
bouring o-
thers, to be
punished by
Whipping.

V. And be it further Enacted, That the several Sheriffs of this Province shall Read this Act on the Wednesday in each respective County Court, in full Court, having first given Public Notice of such Reading, by Proclamation at the several Ordinaries, or Houses of Entertainment, near to the Court-house, on Pain of forfeiting Five Hundred Pounds of Tobacco for every Omission or Neglect, to be recovered and applied as aforesaid.

Penalty on
Sheriffs neg-
lecting to
read this Act
publicly, eve-
ry Court.

VI. This Act to continue for Three Years, and to the End of the next Session of Assembly which shall happen after the Expiration of Three Years.

Continuance.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

Farther continued by 1751, ch. 17; 1754, ch. 9; 1757, ch. 24, and 1762, ch. 9.

C H A P. XX.

An Additional and Explanatory ACT, to the Act, entitled, * An Act empowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes. *Lib. B.L.C. fol. 454.*

Passed 11th
June 1748.

* 1704, ch. 34.

WHEREAS by an Act of Assembly of this Province, entitled, *An Act empowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes,*

Preamble.