

A Woman Servant unmarried is gotten with Child, and then goeth out of her Masters service, before or after it is discovered that she be with Child, and the Reputed Father be run away, or is not able to free the Parish; here if the Master hath legally discharged his house of such a Servant, he is no more bound to provide for her than any other. Resol. 13.

But if she be not lawfully discharged out of her Masters service, nor her time of service with him expired, her Master may be forced to keep her still, or otherwise provide for her, till her time of service be expired, or that he be legally discharged of such a Servant.

If a Woman being with Child procureth her self to be retained with a Master who knoweth nothing thereof: this is a good cause to discharge her of her service. Resol. 22.

And if a Woman servant be gotten with Child during her service, this is a good cause to discharge her. Ibid.

But in the three former cases, the Master must not turn away such servant of his own authority. Resol. 22.

And in these last three cases, the charge, as a misfortune, falleth upon the Parish, which they must bear as in other cases of casual impotency. See Resol. 22.

A Maid-servant gotten with Child at A. by her Fellow-servant (or by another young Man of the same Town) after both their times of Service are expired, and they marry, and then the young man is retained at B. then the Woman is delivered of the Child, she with her Child are to be sent to the Father at B. and there they are to be settled.

Now what shall be accounted a lawful settling.

Note, That every one who is settled a Native, an Householder, Sojourner, an Apprentice, or a Servant retained for one month, at the least, without a just complaint made to remove him or her, shall be held to be settled. Resol. 26. §. 29. Settlement.

Let an abode by the space of a month, must not be to live or keep privately, sometimes in one house, sometimes in another; or to be an abode by reason of sickness, or the like, as Lameness, Lunacy, &c. Nor to a Nurse-child, or a Scholar at the Grammar School, nor at the University; or Persons sent to an Hospital, House of Correction, or to the Common Gaol; but their settling is where their Parents are settled. Resol. 32. or themselves last lawfully settled.

As for Children born in Common Gaols, and Houses of Correction, their Parents being Prisoners, are to be maintained at the charge of the County. Resol. 32.

But note. If one be only lawfully retained in service, or hath but hired an House, or be otherwise lawfully settled, the Law unsettleth none so settled; nor permitteth it to be done by practice or compulsion; and such as shall use any indirect means to hinder a Poor man from hiring an House, may for such disturbance be Indicted upon the Statute, for causing them to turn Rogues.

Note. (by an old Law) a stranger, or he which cometh Guest-wise to an House, and there lieth the third night is called an Hogenhyne (or Agenhine) and after the third night he is accounted one of his Family, in whose house he so lieth, and if he offend the Kings Peace, his Host must be answerable for him. Terms de Ley.

Secundum antiquam consuetudinem dici poterit de familia alicujus qui hospitatus fuerit cum alio per tres noctes, qui prima nocte dici poterit Uncduth, secundo Gust. tertia nocte Hogenhine. Bract. fol. 124.b.