

C H A P.
XLIV.

nation of perjury; or of being accessary to any of the said crimes to which by law there can be an accessary; that the said justices may pass such judgment as the law requires for such crimes; or they may, in their discretion, adjudge any free male person, or any male servant or apprentice, convicted before them of any of the crimes above enumerated, to serve and labour for any time, in their discretion, not exceeding seven years for the same crime, on the public roads of the said county, or in making, repairing, or cleaning the streets, or basin of Baltimore-town; and the said justices may procure a proper place or places for the confinement of such criminals, and may appoint and employ a fit and proper person or persons to take care of such criminals, and to keep them (and if necessary secure them in irons) to constant and hard labour, according to their age, health, and strength of body, and to cause the said criminals to be clothed with necessary and coarse apparel, and fed with bread and coarse meat, and water, and not allowed any kind of strong liquor, except only as a medicine, by the prescription of a physician, who may be employed by the said justices to attend and furnish medicines to the said criminals; and the said justices may compel any of the said criminals to wear such badge, or mark of distinction, as they shall direct; and any one of the said justices shall have full power to order any of the said criminals to be close confined, and whipped, not exceeding thirty-nine lashes, for any misconduct, or refusal or neglect to labour, and to be fed with bread and water only, for such time as the said justice shall direct.

And on females for like offences, &c.

XI. And be it enacted, If any free female person, or any female servant or apprentice, shall be convicted before the said justices of any of the crimes above enumerated, that the said justices may pass such judgment as the law requires for such crime, or they may, in their discretion, adjudge such free female person, or female servant or apprentice, convicted before them of any of the crimes above enumerated, to serve and labour for any time in their discretion, not exceeding seven years for the same crime, in some place of confinement; and the said justices may procure a proper place or places for the confinement of such female criminals, and may appoint and employ a fit and proper person or persons to take care of such criminals, and to keep them to constant labour, according to their age, ability, and strength of body, by assigning them daily tasks in picking of oakum, or in cultivating or beating and hackling hemp or flax, or in manufacturing wool, hemp or flax, or in knitting or sewing, or other similar employment, and such female shall be clothed and fed, and prohibited strong liquor, in like manner as male criminals; and the said justices may compel any of the said female criminals to wear such badge or mark of distinction as they shall direct; and any one of the said justices shall have full power to order any of the said female criminals to be close confined and whipped, not exceeding fifteen lashes, for any misconduct, or refusal or neglect to labour, and to be fed with bread and water only, for such time as the said justice shall direct.

Certain persons declared felons, &c.

XII. And be it enacted, If any person shall on purpose, and of malice aforethought, unlawfully cut out or disable the tongue, put out an eye, slit the nose, cut off the nose or lip, or cut off or disable any limb or member, of any free person, servant or apprentice, with intention in so doing to maim or disfigure, in any of the manners aforesaid, such person, that then and in every such case the person or persons so offending, their counsellors, aiders and abettors, shall be and are hereby declared to be felons, and shall be punished with death, as in cases of felony without benefit of clergy; provided always, that the said justices may also adjudge to serve and labour as aforesaid, all such persons convicted of any of these offences, in the same manner as those convicted of other felonies.

On slaves convicted, justices to pass sentence, &c.

XIII. And be it enacted, If any slave shall be convicted before the said justices of any of the crimes above enumerated, and for which, by law, such slave would be liable to suffer death, and if any slave shall be convicted of wilfully burning any dwelling-house, or of any of the crimes enumerated in the act of assembly passed in the year seventeen hundred and fifty-one, entitled, An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled,