

go such pains and penalties as is by this Act provided for such who are legally convicted of Fornication or Adultery, and whereas those horrid and detestable sins of prophane swearing and cursing are notwithstanding several good Laws heretofore made grown so ripe, that is to be found, they provoke the Divine Vengeance to inflict many and terrible punishments upon us, to prevent such wickedness for the future;

Be it Enacted by the Kings most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that if any person or persons whatsoever within this Province after the publication of this Act prophanely swear or curse in the presence or hearing of any one Justice of the Peace or other head Officer of any Town, City or Burrough within this Province, or that shall be thereof convicted by the Oath of one witness before any one Justice or other head Officer, or by confession of the party offending shall forfeit and pay for such offence the sum of five Shillings Sterling to our Sovereign Lord the King for the use of the poor of the County where the offence shall be committed, to be levied upon such offender or offenders immediatly by Command or Warrant from such Justice of the Peace or head Officer of any Town, City or Burrough before whom such offender or offenders shall be convicted, to the Constable or other person whom such Justice or head Officer shall command or appoint, by distress or sale of his her or their Goods or Chattels, rendring to them the overplus, and in case any person should refuse to obey to execute the Command or Warrant of any Justice of the Peace or head Officer as aforesaid, in this case such person or persons shall forfeit and pay the sum of five Shillings to be levied as aforesaid, to the use aforesaid.

And Be it further Enacted by the Authority aforesaid, that for every time any person or persons shall prophanely swear or curse in any Court House during the sitting of any Court within this Province and be thereof convicted aforesaid, he she or they so offending shall immediatly forfeit and pay the sum of ten shillings as aforesaid to the uses aforesaid, or sit in the Stocks for the space of one hour, by order or command of any such Justice of the Peace or head Officer as aforesaid.

Provided allways, and it is hereby Enacted, that no person shall be prosecuted or troubled for any such prophane swearing and cursing, unless the same be prov'd or prosecuted within ten days next after the offence committed.

And lastly, Be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, that every Justice of the Peace or head Officer aforesaid, are to receive all such forfeitures as aforesaid, that are levied as aforesaid, and render a just account thereof to the Justices of each respective County yearly, at the time of laying the County Levy to be by them disposed of to the uses aforesaid.

An Act for recovering the Arrears due from the publick Officers, and transferring several debts owing thereon.

See Act 20th Nov 1702

An Act for payment of fees due from Criminal Persons.

Act of 1701 in King's Bench

WHEREAS divers complaints have been made by several Countys of this Province, occasioned for that they have been forced to pay the fees of imprisonment, Criminals the persons by whom such fees ought heretofore to have been paid, or hereafter to be paid being released and going free, to the great encouragement of offenders, for prevention whereof for the future

B E T E N A C T E D by the Kings most Excellent Majesty by & with the Advice and Consent of this present General Assembly and the Authority of the same, that from hence forward no Person Sherrif, Goaler, Clerk or Cryer shall charge either their own County to which they belong or the publick with any fees for any Criminal committed to the charge of the said Sherrif or Goaler, having sufficient Estate in this Province wherewith to pay the same, or being capable to pay the same by servitude, but that such Criminals being discharged by order and due course of Law, shall pay their own fees to Sherrif, Goaler, Clerk & Cryer