

If any Person, after Notice given for Admonition, do not appear, their not appearing shall be deemed and taken in any Court, as sufficient Evidence to convict them, if thereafter Co habiting or frequenting the Company of each other.

Passed June 3d, 1752. } ACT directing the Manner of punishing Fornication and Adultery, before a single Justice of the Peace, out of Court.

IT shall and may be lawful for any Justice of Peace, in any County, where any white Bastard Child shall be born, and he is by this Act required, upon Information had thereof, to issue Warrant to a Constable to bring the Mother and the Father, (upon the Oath of the Mother giving him up as such,) before him or some other Justice of the Peace, and upon their Confession, to proceed to fine them; if for Adultery, in the Sum of *Five Pounds* current Money, or *Eight Hundred Pounds* of Tobacco; and if for Fornication only, in the Sum of *Thirty Shillings* or *Two Hundred and Forty Pounds* of Tobacco as the Case may happen, but if both or either of them shall deny the Charge, then the Justice is not to proceed to try them, but by Recognizance, bind them over to the next County Court, to be there tried.

If the Mother refuses to discover the Father of such Bastard Child, then the Justice shall fine her in the further Sum of *Thirty Shillings* current Money or *Two Hundred and Forty Pounds* of Tobacco, and adjudge her to find sufficient Security for keeping the said Child, from being a Burthen on the County; and for want of such Security, commit her to the publick Goal of the County; till she finds such Security; in case she shall discover the Father, and he is thereof legally convicted, then over and above the Fine aforesaid, the Father shall be adjudged to find sufficient Security as above, and for want of such Security, be committed till he gives it.

If either the Father or Mother of such Bastard Child, are unable to pay the Fine, they shall give good Security for paying the same by a certain Day, not less than *Twelve Months*, and for default of such Security, be committed as aforesaid.

THE Justice is to receive such Fines for the Use of the County, and deliver the same to the Sheriff on his Receipt, which Receipt, with a List of what Fines he has received, he shall return to the County Court, to be lodged with the Clerk, and shall return to the next County Court under his Hand and Seal, the Conviction of such Persons before him, and all Recognizances by him taken, to be by the Clerk recorded, for which the Clerk is to have his legal Fees.

It shall be the Duty of all Constables, and they are by this Act required to make Information to some Magistrate in their respective Counties, against the Mother and reputed Father of every Bastard Child.