

to have recompence for such fees, by such servitude of the servants (not exceeding three years) as should be thought reasonable by the county court, &c. By May, 1766, ch. 6, the legal fees on the prosecution of any negro, or other slave, in any county court, (whether convicted or acquitted,) shall be paid by and assessed in the levy of the respective counties where prosecuted.

C H A P.
XXVI.

XI. AND, for the better security of the county which shall pay such fees for such criminal servants as aforesaid, **BE IT ENACTED,** by the authority aforesaid, That the master, mistress or dame of all such servants, be and are hereby enjoined and required, at the expiration of the time of such servant's servitude to such master, or mistress or dame, to render and deliver up to the sheriff of the county, for the use of the county aforesaid, such servants criminals as aforesaid, under the penalties to such master, mistress or dame, refusing or neglecting to deliver up such servants as aforesaid, of making satisfaction to the county for all such fees as by the county aforesaid have been paid for such criminal as aforesaid; and such sheriff to whom such criminal servant shall be delivered as aforesaid, is hereby required to receive and secure such servants criminals as aforesaid, so that he be and appear at the then next county court to be held for the said county, to be disposed of as the said court shall consider.

Masters, &c. to deliver up servants, &c.

C H A P. XXVII.

An ACT for the punishing the offences of adultery and fornication.

Passed 3d of June, 1715.

Lib. LL. No. 4. fol. 168.

BE IT ENACTED, by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same, That after the end of this session of assembly, whosoever shall, directly or indirectly, entertain, provide for, or cause to be entertained or provided for, any lewd woman or women, or that shall frequent her or their company, after that admonition to him or them be given by the minister, or the vestry, or the churchwarden or churchwardens of the parish where such person or persons shall inhabit, shall be adjudged a fornicator or adulterer, as the case shall be, and shall suffer such penalties as by this law is hereafter appointed.

Certain persons to be adjudged fornicators, &c.

II. AND BE IT FURTHER ENACTED, by the authority, advice and consent aforesaid, That every person or persons that shall commit fornication, and be thereof convicted in the provincial or county court, either by confession, or verdict of twelve men, shall be fined thirty shillings current money of this province, or six hundred pounds of tobacco, by the Justices before whom such conviction shall be, to the king's majesty, his heirs and successors, for the support of the county charge.

Persons convicted to be fined, &c.

III. AND BE IT ENACTED, by the authority, advice and consent aforesaid, That every person or persons that shall commit adultery, and shall be thereof convicted, either by confession, or verdict of twelve men, in the provincial or any of the county courts of this province, shall be fined, by the justices before whom such conviction shall be, three pounds current money as aforesaid, or twelve hundred pounds of tobacco, to the king's majesty, his heirs and successors, towards defraying such county charge as aforesaid.

Penalty for committing adultery, &c.

IV. AND, In case the said offenders, or any of them, shall not have wherewith to pay the several fines by this act imposed, then the said offenders shall be adjudged to suffer corporal punishment, by whipping upon his or their bare bodies till the blood do appear, so many stripes (not exceeding thirty-nine,) as the justices before whom such conviction shall be shall adjudge.

Offenders to suffer, &c.

V. PROVIDED, That this act shall not be construed to extend, as to the fine, to women who have bastards, and do refuse to discover the father, or begetter of such children, but that in such cases it shall be in the discretion of the justices before whom such woman or women shall be convicted, either to take the fine by this act appointed, or to award corporal punishment, any thing in this act before to the contrary notwithstanding.

Proviso.

N. B. By the act of 1749, ch. 12, section 6, so much of this act as relates to corporal punishment for fornication, is repealed.

VI. AND, for the ascertaining what women shall be accounted lewd, **BE IT ENACTED,** by the authority aforesaid, by and with the advice and consent aforesaid, That it shall and may be lawful for the minister, vestry and churchwardens of any parish where there is a minister, and for the vestry and churchwardens where there is no minister, before any admonition by them or any of them given, in pursuance of the directions afore-mentioned, to give notice, or cause notice to be given, to any person or persons by them, or the major part of them, suspected of lewdness or incontinency, and being or residing within their respective parishes, to appear before them, or the major part of them, at such time and place as they, or the major part of them, shall appoint; and on the appearance of such person or persons, to acquaint them of the suspicion that is had of them, and to hear what reasonable

Minister, &c. to give notice, &c.

excuse