

the oath of one sufficient witness, or confession of the party before a single magistrate, shall forfeit two hundred pounds of tobacco, to be levied and applied as aforesaid.

C II A P. XVI.

XI. AND BE IT LIKEWISE ENACTED, That no housekeeper shall sell any strong liquor on Sunday, (except in cases of absolute necessity,) or suffer any drunkennets, gaming, or unlawful sports or recreations, in his or her house, on pain of forfeiting two thousand pounds of tobacco to his lordship, one half to the use aforesaid, and the other half to him that will sue for the same, to be recovered by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law shall be allowed.

No liquor to be sold on Sunday.

XII. AND BE IT ENACTED, That every parish clerk within this province shall procure a copy of this act, which the county clerks are hereby required to suffer the parish clerks to take, without fee or reward, for which he shall be allowed in the parish fifty pounds of tobacco, and that the same shall be read four times a year, viz. on some Sunday in March, in June, in September, and in December, by every minister within this province, in their respective parish churches, between divine service and sermon, on pain of forfeiting one thousand pounds of tobacco for every omission, one half to the lord proprietor, for the use aforesaid, and the other half to him that will sue for the same, to be recovered by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

Act to be read, &c.

XIII. PROVIDED ALWAYS, AND BE IT ENACTED, That all informations for blasphemy and Sabbath breaking, shall be made within one month after the fact, and that all prosecutions and informations for swearing, cursing, drunkennets, and omission to punish the same, shall be made within ten days after the fact, and that all prosecutions for not reading this act, and for selling liquors, and suffering drunkennets and gaming on the Sabbath day, shall be commenced within six months after such omission, and not after.

Limitation of prosecutions.

XIV. AND BE IT FURTHER ENACTED, by the authority, advice and consent aforesaid, That one act, made at a session of assembly begun and held at the port of Annapolis the first day of July, anno domini sixteen hundred and ninety-six, entitled, An act for sanctifying and keeping holy the Lord's day, commonly called Sunday, and also one other act of assembly, made at a session of assembly begun and held at the city of Annapolis the twenty-sixth day of April, one thousand seven hundred and fifteen, entitled, An act for the punishment of blasphemy, profane swearing, cursing and drunkennets, be and are hereby repealed and made void.

Acts repealed.

XV. PROVIDED, That all prosecutions already begun for any breach of the former laws, or any judgment rendered, shall not be defeated or altered by this act, but that the several courts and magistrates may proceed to hear and determine the same to judgment, award execution, and on all former judgments rendered as aforesaid, as fully and amply as heretofore they might have done, the repeal of the said acts to the contrary notwithstanding.

Proviso.

C H A P. XVII.

An ACT directing the manner of recovery of fines for not appearing at the clearing of the highways. Lib. LL. No. 4. fol. 600.

Passed 26th of October, 1723.

WHEREAS by an act of assembly, made at the town and port of Annapolis, the fifth day of September, anno domini seventeen hundred and four, entitled, An act for marking the highways, &c. there is a fine of one hundred pounds of tobacco to be levied upon all taxable male persons that shall neglect to attend at the clearing and mending the highways, when duly warned by the overseers thereof, the which fines have proved a greater burthen to the people than was designed by that act, by means of the chargeable way of recovery thereof in the county courts, for remedy whereof,

Preamble.

\* 1704, ch. 21.

II. BE IT ENACTED, by the right honourable the Lord Proprietor, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That from and after the end of this present session of assembly, no person within this province shall, by virtue of the afore-mentioned act, be prosecuted in any county court for their not appearing when warned to clear the highways, any thing contained therein to the contrary notwithstanding.

No person to be prosecuted, &c.

III. BUT in all such cases, any one justice of the county courts, to whom complaint shall be made, are hereby fully authorized and empowered, upon complaint made to him against any person for not appearing, or owners of servants for not sending their servants on the highways, when duly warned,

But determined by a magistrate, &c.

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