

Passed 30th of
October, 1727.

An ACT directing the payment of fees arising due on the prosecution of white servants which shall hereafter be imported into this province. Lib. L. No. 5. fol. 145.

Preamble.

FORASMUCH as it is evident to this present general assembly, that the charges of late arising to the public, and several of the counties within this province, on the prosecution of servants, have been a very great burthen to the public: And whereas it is manifest that several felonies, and other offences, have been frequently committed by servants, which might have been prevented by their masters, by taking care to keep them in due order and subjection, and sometimes servants have been induced by the encouragement, and sometimes by the severity of their masters, to commit felonies and other crimes, the masters well knowing that in case of prosecution the expence thereof must have been borne by the public, or the inhabitants of the county or counties where the facts have been committed; for remedy of which evils,

Fees to be paid
by the master,
&c.

II. BE IT ENACTED, by the right honourable the Lord Proprietary, 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, it shall and may be lawful to and for the several and respective officers within this province, to whom any fees shall arise due on any prosecution of the lord proprietary against any servants that shall be imported into this province, at any time after the end of this session, to charge the same to, and recover the same from, the masters or owners of such servants, in the same manner as if they arose due from, and were the proper debts of, the masters or owners themselves, as by other laws are provided; and that it shall not be lawful for any officer, or other person, to charge the public, or any county, for any fees that shall arise due on the prosecution of any such servants as aforesaid, any law, statute, usage or custom to the contrary in anywise notwithstanding.

Recompence to
be made, &c.

III. AND BE IT FURTHER ENACTED, by the authority, advice and consent aforesaid, That it shall and may be lawful to and for the owners of such servants (unless the offence whereof he, she or they shall be convicted, be capital, and that the offender or offenders are actually executed for the same,) at or before the time of the expiration of such servant's servitude, to carry such servant to the county court held for their county, and on their making it fully appear to the justices of such court how much tobacco hath been paid by them for such servant, on account of such prosecutions, it shall and may be lawful for the justices of such court, and they are hereby required, to adjudge what time (not exceeding three years,) they shall think reasonable, to serve the owner in recompence to such fees paid as aforesaid, unless such servant can make payment thereof in some other manner.

Bastards to be
maintained,
&c.

IV. AND BE IT ENACTED, by the authority aforesaid, That all masters and owners of women servants, having bastard children, shall be obliged to maintain such bastard children at his or their own proper cost and charge, during the continuance of such servant woman in his or their service.

Proviso.

V. PROVIDED, That it shall and may be lawful for the justices of the county court where such bastard child or children shall be born, to adjudge the mother or mothers of such bastard child or children, where the father is unknown, or incapable to make any satisfaction, to make her or their master or owners full satisfaction and recompence by servitude, or otherwise, for maintaining and supporting such bastard child or children, any law, usage or custom to the contrary notwithstanding.

Proviso.

VI. PROVIDED ALWAYS, That where the begetter or begetters of such bastard child or children is or are resident or residents within this province, of ability to maintain such child or children, and lawfully convict of being the begetter or begetters of such child or children, it shall and may be lawful in all such cases for the several justices of the peace to oblige such father or begetter to support and maintain such bastard child or children as heretofore they might have done, any thing in this act to the contrary notwithstanding.

An ACT giving encouragement to make hemp within this province. Lib. L. No. 5. fol. 147.

To continue in force three years, &c. Expired.

An ACT reviving and continuing an act of assembly, entitled, (a) An act for relieving the inhabitants of this province from some aggrievances in the prosecution of suits at law. Lib. L. No. 5. fol. 148.

(a) 1714, ch. 4, hereby continued three years, &c. Expired.