

C H A P.
II.

substance than persons of greater ability, and that considerable part of the property of people of all conditions, are kept in out-houses, not only remote from their dwelling-houses, but also very weak in themselves, and easily broken, which hath given frequent opportunities to offenders to break into such houses, and to steal from thence divers goods and chattels, to the utter undoing of some poor persons, and the prejudice of all sufferers; And whereas several other offenders have stolen boats and other vessels, and even slaves, which practice is of the most dangerous tendency, and may, if not timely prevented, occasion piracies, and all manner of villainies, and that offenders have been encouraged to commit the said crimes by the lenity of our laws, and expectation of having the benefit of clergy, when detected; for the more effectual prevention of which crimes, and punishment of such offenders as shall commit any of them,

Penalty on persons breaking tobacco, &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 any person or persons who shall, after the tenth day of September next, break any tobacco-house, or other out-houses whatsoever, and steal from thence any goods or chattels, to the value of five shillings sterling, or who shall counsel, hire, command, aid or abet, any person or persons to commit the said offences, or who shall be accessaries to any of the said offences, and be thereof convicted, by confession, upon his, her or their arraignment, verdict of a jury, or be out-lawed, or who shall obstinately or of malice stand mute, or peremptorily challenge above twenty, shall suffer death as a felon or felons without benefit of clergy.

Proviso.

III. PROVIDED ALWAYS, That such tobacco-house, or other out-houses, shall be well boarded, or otherwise substantially built; and the door or doors thereof secured with a lock or locks, or bolted in the inside, or nailed.

Penalty on persons stealing boats, &c.

IV. AND BE IT LIKEWISE ENACTED, by the authority, advice and consent aforesaid, That any person or persons, who, after the said tenth day of September, shall steal any ship, sloop, or other vessel whatsoever, out of any place within the body of any county within this province, of seventeen feet, or upwards, by the keel, and shall carry the same ten miles, or upwards, from the place whence it shall be stolen, or who shall steal any negro or other slave, or who shall counsel, hire, aid, abet or command, any person or persons to commit the said offences, or who shall be accessaries to the said offences, and shall be thereof legally convicted as aforesaid, or out-lawed, or who shall obstinately, or of malice, stand mute, or peremptorily challenge above twenty, shall suffer death as a felon or felons, and be excluded the benefit of clergy.

Proviso.

V. PROVIDED ALWAYS, That when and as often as any slave or slaves shall be convicted for any offence, contrary to this or any other law, and shall be actually executed, or who shall die after condemnation, and under confinement in order for execution, that the owner shall be paid the full value of such slave or slaves, such value to be adjudged by the court before whom the fact shall be tried, at the time of the condemnation of such slave or slaves.

Treasurer to pay, &c.

VI. AND BE IT FURTHER ENACTED, That the treasurer or treasurers of this province for the time being, upon a certificate from the sheriff of the execution of any such slave or slaves, or the death of such slave or slaves after conviction, and under confinement in order for execution, immediately shall pay the owner or owners of such slave or slaves what such slave shall be valued at as aforesaid, out of the public stock of this province, in the hands of such treasurer or treasurers, without fee or reward.

Duration.

VII. This act to continue three years, and to the end of the next session of assembly which shall happen after the end of the said three years.

Farther continued by 1740, ch. 6, 1744, ch. 17, 1747, ch. 14, 1751, ch. 2, 1754, ch. 4, 1757, ch. 24, 1762, ch. 5, 1765, ch. 20, June, 1773, ch. 2, October, 1780, ch. 12, May, 1781, ch. 29, November, 1782, ch. 32, 1789, ch. 56, and till 20th October, 1798, by 1796, ch. 64, when it expired. Revived and continued (and all acts done under it confirmed,) by 1798, ch. 10; and by 1798, ch. 71, enacted into a permanent law.

C H A P. III.

Passed 28th of May, 1737.

An ACT for docking the entail of a tract of land called Wilson's Grove, in the county of Anne-Arundel, and vesting the same in Lewis Duvall, in fee-simple, and for settling other lands and tenements to the same uses. Lib. BLC. fol. 171. A Private Act.

C H A P. IV.

An ACT for securing the rights and inheritances of sundry persons to the lots by them taken up, paid for and built upon, in Leonard-town, in St. Mary's county. Lib. BLC. fol. 173.

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