

Security to be given for Payment of Fines and Charges.

discover as aforesaid, and shall be unable or unwilling to pay her Fine and Charges aforesaid; or if upon such Discovery as aforesaid, such Person shall be unwilling or unable to pay his Fine and the Charges as aforesaid; then, and in every such Case, such Man or Woman respectively, as the Case shall happen, shall be obliged to give good Security to the Right Honourable the Lord Proprietary, for the Payment of such Fines and Charges by a certain Days not less than twelve Months from the Time of taking such Security; and for Default of such Security, to be and stand committed to the Custody of the Sheriff.

Fines, &c. to be applied towards defraying the County Charges.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That every such Fine as aforesaid shall be, and is hereby declared and directed to be applied towards the defraying the public Charge of every such County respectively.

Recital of Part of an Act.

And whereas, by an Act entituled, *An Act for the punishing the Offences of Adultery and Fornication*, it is Enacted, " 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 aforesaid, 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 Excuse such Persons shall offer, why they ought not to be proceeded against according to Law as Fornicators or Adulterers, as the Case shall happen: And in case the Person or Persons having such Notice given them shall not appear according to such Notice, on Affidavit of such Notice given, or appearing do not excuse or acquit themselves of the Grounds of such Suspicion, in such Manner as such Minister, Vestry, and Churchwardens as aforesaid shall approve, that then it shall and may be lawful for such Minister, Vestry, and Churchwardens, or the major Part of them, as aforesaid, and they are hereby required to admonish such Person or Persons according to the Directions aforesaid; which Admonition, together with Proof of the Cohabitation of the Parties so admonished, or their frequenting the Company of each other, contrary to, and after such Admonition given, shall be sufficient Evidence in any Court of this Province, to convict the Persons so cohabiting or frequenting each others Company after Admonition given as aforesaid, of Fornication or Adultery, as the Case shall happen, and subject them to the Penalties aforesaid respectively."

Persons refusing to appear before the Vestry, to be deemed guilty.

And be it Enacted, That if any Person or Persons do not appear according to such Notice, on Affidavit of such Notice being given, it shall be taken for Proof of a Cohabitation of the Parties to whom such Notice shall be given, of their Lewdness or Incontinency, and a Confession of their Guilt; and shall be sufficient Evidence in any Court in this Province, to convict the Person or Persons so cohabiting or frequenting each others Company, in the same Manner, to all Intents and Purposes, as if such Person or Persons did appear before the Vestry and Churchwardens as aforesaid, and were by them actually admonished.

Part of an Act repealed.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That so much of an Act of Assembly of this Province, made at a Session of Assembly begun and held at the City of Annapolis on the twenty-sixth Day of April, in the Year Seventeen hundred and fifteen, Entituled, *An Act for punishing the Offences of Adultery and Fornication*, as relates to corporal Punishment for Fornication, be and is hereby repealed.