

labor, to the behoof of the former wife and children or former husband and children. And if any man or woman being unmarried shall knowingly marry the husband or wife of another person, such man or woman shall be punished as aforesaid. And the first wife or husband of the person offending against this act, shall have a bill of divorcement granted against her or his husband or wife so offending, if desired.

Passed November 27, 1700: repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly passed January 12, 1705-6, Chapter 123.

CHAPTER VII.

AN ACT AGAINST ROBBING AND STEALING.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories, in General Assembly met, and by the authority of the same, That if any person shall be legally convict of stealing, or fraudulently taking or carrying away of any living goods or cattle from any the inhabitants or others within this province or territories, and the same goods or cattle stolen be found alive and returned to the owner at his or her dwelling-house, the felon shall make double satisfaction besides the goods returned; but if the goods or cattle be not found and returned to the owner thereof, then the felon shall make fourfold satisfaction. And if the justices, at the court of quarter sessions where such felon shall be convict, see cause, they shall order the felon to be publicly whipped, besides such satisfaction as aforesaid, and to wear a Roman T for six months, as hereafter is required. And in case the goods stolen be dead goods or merely personal goods, and not restored as aforesaid, and being under the value of five shillings, the felon or thief shall pay to the owner thereof fourfold. But if the goods so stolen amount to the value of five shillings or upwards, then the felon or thief shall pay unto the owner fourfold, and be whipped on his or her back not exceeding twenty-one lashes, and be ordered by the court to wear such a badge or mark of his or her thievery, upon the outside of his or her outer garment, in open

view, upon the outer part of the left arm, betwixt elbow and shoulder, at all times when he or she shall travel or be seen from his or her habitation or plantation where he or she shall live, on every day from sunrising to sunsetting, for the space of six months, which mark or badge or his or her thievery shall be a Roman T, not less than four inches in length each way, and an inch in breadth, of a different color from his or her outer garment, either red, blue or yellow, as the justices of the said court shall direct. And if such felon or thief shall at any time during the said term of six months be found without the said badge or mark of thievery, any one justice of the peace, upon his own knowledge or proof, shall order such felon or thief to be whipped, for the first offense not exceeding twenty-one lashes; and for the second offense he or she offending as aforesaid shall receive thirty-nine lashes on his or her bare back, well laid on, and be branded with the letter T on the forehead, or be banished out of the government never to return again, upon such penalty as the county court shall think fit to lay upon such persons.

And for the prevention of concealment or connivances of thievery.

[Section II.] Be it enacted by the authority aforesaid, That if any person or persons shall agree or compound with a thief, or take satisfaction for any stealing or goods stolen, such person shall forfeit twice the value of the sum agreed for or taken.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Acts of Assembly passed October 28, 1701, Chapter 107; and January 12, 1705-6, Chapter 118.

CHAPTER VIII.

AN ACT ABOUT BOATS AND CANOES.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories, in General Assembly met, and by the authority