

staves or any other hurtful weapons, to the terror of any the peaceable people or inhabitants of this province or territories, and shall commit or design to commit violence or injury upon the person or goods of any the said inhabitants, and be convicted thereof, they and every of them shall be reputed and punished as rioters, and the act of terror or violence, or design of violence, shall be accounted and deemed a riot. And whosoever shall introduce into this province and territories any rude or riotous sports, as prizes, stage-plays, masks, revels, bull-baitings, cock-fightings, bonfires, with such like, or shall practice the same, and be lawfully convict thereof, such person or persons shall, for every such offense, be reputed as breakers of the peace, and shall forfeit and pay twenty shillings, or suffer ten days' imprisonment at hard labor in the House of Correction.

[Section II.] And be it further enacted by the authority aforesaid, That if any person or persons, within this province and territories, shall be convict of playing at cards, dice, lotteries or such like enticing, vain and evil sports and games, all and every such person or persons, for every such offense, shall pay five shillings, or suffer five days' imprisonment in the House of Correction at hard labor as aforesaid.

Passed, November 27, 1700; repealed by the Queen in Council, February 7, 1705-6.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 January 12, 1705-6, Chapters 127 and 128, and I Votes, 50.

CHAPTER III.

AN ACT AGAINST ADULTERY, FORNICATION, &c.

For the preservation of virtue, chastity and purity among the inhabitants of this province and territories, and for the prevention of the heinous sins of adultery and fornication:

[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 whosoever defileth the marriage bed by committing adultery, being legally convicted thereof, shall, for the first offense, be publicly whipped and suffer one whole year's imprisonment in the House of Correction at hard labor to the behoof of the public; and the guilty person or persons shall be liable to a bill of divorcement, if required by the injured husband or wife within the said term of one whole year after conviction: And for the second offense shall be whipped with twenty-one lashes and suffer imprisonment seven years in manner aforesaid: And for the third offense shall, over and above the said punishment, be branded in the forehead with the letter A. And every person convicted of having committed fornication shall pay (both man and woman) ten pounds each, or be publicly whipped with twenty-one stripes on his and her bare back severely laid on, or be enjoined marriage, if it may be done. And if any woman within the said province or territories shall have a child born of her body in the absence of her husband, and shall not be able, by credible evidence, to prove that her husband hath cohabited or been in company with her, or hath been in the county where she liveth, within the space of one year last past before the birth of the said child, such woman shall be liable to be punished as an adulteress.

[Section II.] And be it further enacted by the authority aforesaid, That if an unmarried woman, absenting herself from the place where she usually lived, shall come into any county within this government, and there bear a bastard child, she shall be liable to be punished in the county where the said child is born, as she should or might have been had the child been there begotten. And whosoever, within this province or territories, shall knowingly entertain or shelter any such woman without giving notice thereof to some one justice of the peace, within three days after her coming into his or her house, shall forfeit five pounds for every such offense.

[Section III.] And be it further enacted, That if any woman-servant shall bear a bastard child within the time of her servitude, in regard of the loss and trouble her master or mistress must sustain thereby, she shall serve one whole year after her time by indenture or covenant is expired. And the man

charged by the woman to be the father, she holding constant in her charge, shall be the reputed father (although no person be accused by her in the time of her travail), unless the circumstances of the case and place be such, on behalf of the man charged, as that the court that hath cognizance thereof shall see reason to acquit him, and otherwise dispose of the child and education thereof. And every man being legally convicted to be the reputed father of a bastard child as aforesaid, shall give security to the court to take the care and be at the charge of bringing up the same, by such assistance of the mother as nature requires, and such further assistance as the court from time to time shall see cause to order.

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 122.

CHAPTER IV.

AN ACT AGAINST RAPE OR RAVISHMENT.

[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 whosoever shall commit a rape, or ravish any maid or woman, within this province or territories, being convicted thereof, shall, for the first offense, be publicly whipped with thirty-one lashes on his bare back, well laid on, and shall suffer seven years' imprisonment at hard labor. And if he be an unmarried person he shall forfeit all his estate; and if married, one-third part thereof, one-half of such forfeiture to the proprietary and governor and the other half to the use of the poor. And for the second offense, he shall suffer castration and be branded with the letter R in his forehead.

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 120.