

## CHAPTER V.

## AN ACT AGAINST INCEST, SODOMY AND BESTIALITY.

[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 be convicted of having committed incest, shall forfeit one-half of their estates to the use of the proprietary and governor, and suffer one whole year's imprisonment in the House of Correction at hard labor to the use aforesaid: and for the second offense, imprisonment during life. And whosoever shall be legally convicted of sodomy or bestiality, shall suffer imprisonment during life, and be whipped at the discretion of the magistrates, once every three months during the first year after conviction. And if he be a married man, he shall also suffer castration, and the injured wife shall have a divorce if required. And if a married woman be legally convicted of bestiality her husband may have a divorce if requested.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6.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, Chapters 121 and 124.

## CHAPTER VI.

## AN ACT AGAINST BIGAMY.

[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 be convicted of having two wives or two husbands at one and the same time, shall be imprisoned all their lifetime in the House of Correction at hard

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Passed November 27, 1700: repealed by the Queen in Council, February 7, 1705-6.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.

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## CHAPTER VII.

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### 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