

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Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6.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

of the same, That if any person or persons within this province or territories shall fairly take up any man's boat or canoe, the same being adrift, he shall receive as a reward, from the owner thereof, the sum of five shillings for a boat, and two shillings sixpence for a canoe. And if any person or persons shall, at any time after publication of this law, take, carry away or set adrift a vessel, boat or canoe, from any landing within this province or territories, without leave or consent first had and obtained from the owner thereof, [he] shall pay double the value of such vessel, boat or canoe; and the property of the vessel, boat or canoe so taken away or set adrift, as aforesaid, shall still remain in the master or owner thereof. And the master or owner of the same to have one-half of the said penalty or forfeiture.

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II; repealed by the Act of Assembly, passed March 20, 1810, P. L. 188.

CHAPTER IX.

AN ACT AGAINST BREAKING INTO HOUSES.

[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 break into the dwelling-house, shop, warehouse or store of any other person within this province or territories, shall be publicly whipped with twenty-one stripes on his or her bare back, well laid on, and suffer six months' imprisonment at hard labor. And shall, moreover, make fourfold satisfaction for what he or she shall be proved to have taken out of the said house, shop, warehouse or store; and if unable to make such satisfaction, then he or she shall be sold for that end; and if such offense be committed in the night time, the offended shall be whipped as aforesaid and suffer a