

May,  
1748.

## CHAP. XIX.

An additional supplementary act to the act, entitled,  
\* An act relating to servants and slaves.

\* 1715, ch. 44.

A further supplement, 1808, ch. 81.

Preamble.

**W**HEREAS by an act of assembly of this province, made at a session of assembly begun and held at the city of Annapolis the twenty-sixth day of April, *anno Domini* one thousand seven hundred and fifteen, entitled, An act relating to servants and slaves, it is enacted, that "any person or persons whatsoever, that shall, after the publication of the said act, wittingly or willingly entertain any servant or slave unlawfully absenting him, her or themselves, from their master, mistress, dame or overseer, shall be fined five hundred pounds of tobacco for every night or twenty-four hours that such person or persons shall give such entertainment:" And whereas it is represented to this general assembly, that many cramy and ill-disposed persons, knowing that they are not liable to the payment of the said fine, unless they entertain such servant or slave one whole night, or twenty-four hours without intermission, do, by frequently entertaining the servants and slaves of the good people of this province at dead times of night, for several hours together, entice them secretly to make away with, and embezzle, the goods of their masters or owners, by carrying them to such entertainments, and to commit many grievous disorders and irregularities against the peace of his lordship, and his good rule and government, and to the great damage and disquiet of many of his majesty's liege subjects within this province; for preventing which evils for the future,

Penalty on persons harboring slaves &c. 100 lbs. tobacco per hour.

**II.** BE IT ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his Lordship's Governor, and the Upper and Lower houses of Assembly, and the authority of the same,* That if any person or persons, after the end of this session of assembly, shall wittingly or willingly entertain any servant or servants, slave or slaves, unlawfully absenting him, her or themselves from his, her or their master, owner or overseer, or permit or suffer them to be about their houses or plantations, during the space of one hour, or longer, such person or persons, so entertaining such servant or servants, slave or slaves, or permitting or suffering them to be about their houses or plantations, shall forfeit and pay at the rate of one hundred pounds of tobacco for every hour each servant or slave shall be by him, her or them, so entertained, or permitted or suffered to be about his, her or their house or plantation as aforesaid, to be recovered in a summary way before a single magistrate, with costs, if the penalty does not exceed

six hundred pounds of tobacco, and if it does exceed six hundred pounds of tobacco, then to be recovered by action of debt, bill of indictment, plaint or information, in the county court where the offence shall be committed, wherein no essoin, protection, wager of law, or above one imparlance, shall be allowed, the one half whereof shall be applied to the use of the public school of the county wherein such forfeiture shall happen, and the other half to the party grieved, provided he or she shall prosecute for the same within three months next after the offence committed, otherwise to the informer, or him or them who shall sue for the same, provided such suit be commenced within twelve months after such offence committed.

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**III. AND BE IT FURTHER ENACTED,** That if it shall appear to any magistrate before whom any conviction for breach of this act shall be had, that the offender is unable to pay or give good security for the penalty aforesaid, it shall and may be lawful for such magistrate to punish such offender, by whipping on the bare back with such number of stripes, not exceeding thirty-nine for any one offence, as to him shall seem meet, and to require security for the good behaviour of such offender for and during the term of six months then next following.

In default of payment of penalties, offenders to be punished by whipping.

**IV. AND BE IT FURTHER ENACTED,** That if any servant or slave shall wittingly or willingly harbour or entertain any other servant or servants, slave or slaves, unlawfully absent from his, her or their master, owner or overseer, for and during the space of one hour, or longer, it shall and may be lawful for any magistrate, and he is hereby required, upon complaint to him made, immediately to issue his warrant against such servant or slave so harbouring or entertaining as aforesaid, and upon satisfactory proof of such harbouring or entertaining, to punish the offender or offenders, by whipping with such number of stripes on the bare back as to him shall seem proper, not exceeding thirty-nine for any one offence.

Servants harbouring others to be punished by whipping.

**V. AND BE IT FURTHER ENACTED,** That the several sheriffs of this province shall read this act on the Wednesday in each respective county court, in full court, having first given public notice of such reading, by proclamation at the several ordinaries, or houses of entertainment, near to the court-house, on pain of forfeiting five hundred pounds of tobacco for every omission or neglect to be recovered and applied as aforesaid.

Act to be read publicly every court by the sheriff.

**VI. This act to continue for three years, and to the end of the next session of assembly which shall happen after the expiration of three years.**

Duration.

Farther continued by 1751, ch. 17.—1754, ch. 9.—1757, ch. 24.—1762, ch. 9.—1765, ch. 28. June 1773, ch. 2. October, 1780, ch. 12. November, 1787, ch. 38.—1795, ch. 83, till 30th January, 1798; revived and continued till the end of the session by 1798, ch. 10, and by 1798 ch. 71, enacted into a permanent law.

Vide list of acts respecting negroes and slaves, 1715, ch. 44.