

C H A P.
XII.

any parish where there is a minister; and for the vestry and churchwardens where there is no minister, before any admonition by them, or any of them, given in pursuance of the directions afore-mentioned, to give notice, or cause notice to be given, to any person or persons by them, or the major part of them, suspected of lewdness or incontinency, and being or residing within their respective parishes, to appear before them, or the major part of them, at such time and place as they, or the major part of them, shall appoint, and on the appearance of such person or persons to acquaint them of the suspicion that is had of them; and to hear what reasonable excuse such persons shall offer, why they ought not to be proceeded against according to law as fornicators or adulterers, as the case shall happen; and in case the person or persons having such notice given them shall not appear according to such notice, on affidavit of such notice given, or appearing do not excuse or acquit themselves of the grounds of such suspicion, in such manner as such minister, vestry and churchwardens as aforesaid, shall approve, that then it shall and may be lawful for such minister, vestry and churchwardens, or the major part of them as aforesaid, and they are hereby required, to admonish such person or persons, according to the directions afore-mentioned, which admonition, together with proof of the cohabitation of the parties so admonished, or their frequenting the company of each other, contrary to, and after such admonition given, shall be sufficient evidence in any court of this province to convict the persons so cohabiting or frequenting each other's company after admonition given as aforesaid, of fornication or adultery, as the case shall happen, and subject them to the penalties afore-mentioned respectively;" AND BE IT ENACTED, That if any person or persons do not appear according to such notice, on affidavit of such notice being given, it shall be taken for proof of a cohabitation of the parties to whom such notice shall be given, of their lewdness or incontinency, and a confession of their guilt, and shall be sufficient evidence in any court in this province to convict the person or persons so cohabiting or frequenting each other's company, in the same manner, to all intents and purposes, as if such person or persons did appear before the vestry and churchwardens as aforesaid, and were by them actually admonished.

Persons not appearing to stand convicted.

Part of an act repealed.

VI. AND BE IT FURTHER ENACTED, by the authority, advice and consent aforesaid, That so much of an act of assembly of this province, made at a session of assembly begun and held at the city of Annapolis on the twenty-sixth day of April, in the year seventeen hundred and fifteen, entitled, An act for punishing the offences of adultery and fornication, as relates to corporal punishment for fornication, be and is hereby repealed.

This act is repealed by 1785, ch. 47, as far as it respects the proceedings against persons guilty of fornication.

C H A P. XIII.

Passed 24th of June, 1749.

An ACT for further altering and establishing certain warehouses, and for other purposes therein mentioned. Lib. BLC. fol. 479.

To continue in force during the inspection-law of 1747, ch. 1. Expired.

C H A P. XIV.

An ACT for the cutting off the entail of part of a tract of land, called Holland's Choice, lying in Anne-Arundel county, to enable Jacob Holland to sell and convey the same in fee-simple, and to entail other lands in lieu thereof. Lib. BLC. fol. 482. A Private Act.

C H A P. XV.

An ACT empowering certain persons to vend and dispose of lands in Somerset county, whereof Woney McClemey died seized in fee, for the purposes therein mentioned. Lib. BLC. fol. 484. A Private Act.

C H A P. XVI.

An ACT to continue such actions now depending in the provincial court as by law ought to have been determined in May provincial court, one thousand seven hundred and forty-nine. Lib. BLC. fol. 485.