



An Act to provide for the Support of *Bastard Children*, and the Punishment of the Mother and reputed Father.

BE it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the *Twenty fifth Day of March* Instant, if any Woman shall be delivered of a *Bastard Child*, which shall be chargeable or likely to be chargeable to the Province, she having declared to the Midwife, or other Persons assisting her at the Time of Delivery, who the Father of such Child was, and shall have at some Time before, declared herself to be with Child, and that such Child is likely to be born a *Bastard*, and to be chargeable to any Place within the Province, and shall in either of such Cases, upon Examination to be taken in Writing upon Oath, before *One* Justice of the Peace near where such Place shall lie, charge any Person with having gotten her with Child; it shall and may be lawful for such Justice, upon Application made to him by the Overseers of the Poor of such Place, or any *One* of them, or some substantial Householder of such Place, to issue out his Warrant to apprehend such Person so charged as aforesaid, and to bring him before him or some other of His Majesty's Justices, and to commit such Person to Goal or the House of Correction, unless he give Security to indemnify such Place from the supporting or maintaining such *Child* or *Children*, and shall enter into Recognizance with sufficient Security for his Appearance at next *Quarter Sessions* where he shall be continued on Recognizance till the Woman is delivered of such *Child* or *Children*. *Provided* That if such Woman shall die or be married before she be delivered or Miscarry of such *Child* or *Children*, or shall appear not to have been with Child at the Time of her Examination, such Person shall be discharged from his Recognizance at the next *Sessions*, or immediately released out of Custody, if committed.

And be it further enacted, That any *two* Justices of the Peace near the Place where any *Bastard Child* shall be born, upon Complaint made by the Overseers of the Poor or any *One* of them, or of some substantial

Householder,

Houſeholder, upon due Examination of the Cauſe and Circumſtances, ſhall and may, by their Diſcretion make an Order for the Relief of ſuch Place, or Children, and for keeping ſuch *Baſtard Child*, and that ſaid Mother or reputed Father of ſuch *Child* or *Children*, ſhall find ſufficient Security that ſuch *Child* ſhall not become Burthenſome or Chargeable to any Place, in ſaid Province, or pay the Sum of *Twenty Pounds*, which ſhall be paid into the Hands of the Overſeers of the Poor for the Support of ſuch *Child* or *Children*, or other Town Uſes. And if, after the ſaid Order made by ſaid Juſtices, and by them ſubſcribed and directed to the Overſeers of the Poor, any of ſaid Perſons, *viz*, Either the Father or Mother, upon Notice thereof, ſhall not for his or her Part obſerve and perform ſaid Order, then ſuch Party, making Default, to be committed to Goal or Houſe of Correction for the Space of *ſix Months*, *except* he or they ſhall give ſufficient Security to perform ſaid Order, or elſe perſonally appear at the next *Quarter Sessions* and abide by ſuch Order as ſhall be made at ſaid *Sessions* in that behalf, and if no Order ſhall be made at ſaid *Sessions*, then to abide by the *firſt* Order.

And it is hereby further enacted, That in Caſe any Woman ſhall accuſe or charge any Man with having gotten her with Child, though the Woman be not with Child, or that the Child be not really his, but appears to be only a Contrivance to defame the Perſon, or cheat him of his Money, that in ſuch Caſe the ſaid Woman ſhall be ſent to the Houſe of Correction, there to be whipped and remain for the Space of *ſix Months*.

Provided nevertheless, That if any Perſon ſhall think himſelf wrongfully charged, or if the Perſon charging him be a Woman of ill Fame or a Common Whore, in ſuch Caſes, upon giving Security to abide the Judgment of the Court, he may appeal from the Order of the Juſtices, to the next *Sessions*, when the whole Cauſe may be heard and tried by ſuch Court, on the Verdict of a Jury.

