

C H A P.
LVII.

criminals to wear such badge or mark of distinction as they shall direct; and any one of the said justices shall have full power to order any of the said criminals to be close confined, and whipped, not exceeding thirty-nine lashes, for any misconduct, or refusal or neglect to labour, and to be fed with bread and water only, for such time as the said justices shall direct.

And on fe-
males for like
offences, &c.

XI. **And be it enacted,** If any free female person, or any female servant or apprentice, shall be convicted before the said justices of any of the crimes above enumerated, that the said justices may pass such judgment as the law requires for such crime, or they may, in their discretion, adjudge such free female person, or female servant or apprentice, convicted before them of any of the crimes above enumerated, to serve and labour for any time in their discretion not exceeding seven years for the same crime, in some place of confinement; and the said justices may procure a proper place or places for the confinement of such female criminals, and may appoint and employ a fit and proper person or persons to take care of such criminals, and to keep them to constant labour, according to their age, ability, and strength of body, by assigning them daily tasks in picking of oakum, or in cultivating or beating and hackling hemp or flax, or in manufacturing wool, hemp or flax, or in knitting or sewing, or other similar employment, and such female shall be clothed and fed, and prohibited strong liquor, in like manner as male criminals; and the said justices may compel any of the said female criminals to wear such badge or mark of distinction as they shall direct; and any one of the said justices shall have full power to order any of the said female criminals to be close confined for any misconduct, or refusal or neglect to labour, and to be fed with bread and water only, for such time as the said justice shall direct.

Certain per-
sons declared
felons, &c.

XII. **And be it enacted,** If any person shall on purpose, and of malice aforethought, unlawfully cut out or disable the tongue, put out an eye, slit the nose, cut off the nose or lip, or cut off or disable any limb or member, of any free person, servant, apprentice or slave, with intention in so doing to maim or disfigure, in any of the manners aforesaid, such person, that then and in every such case the person or persons so offending, their counsellors, aiders and abettors, shall be and are hereby declared to be felons, and shall be punished with death, as in cases of felony without benefit of clergy; provided always, that the said justices may also adjudge to serve and labour as aforesaid, all such persons convicted of any of these offences, in the same manner as those convicted of other felonies.

On slaves con-
victed, justices
to pass sen-
tence, &c.

XIII. **And be it enacted,** If any slave shall be convicted before the said justices of any of the crimes above enumerated, and for which, by law, such slave would be liable to suffer death, and if any slave shall be convicted of wilfully burning any dwelling-house, or of any of the crimes enumerated in the act of assembly passed in the year seventeen hundred and fifty-one, entitled, An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, An act to prevent the tumultuous meeting and other irregularities of negroes and other slaves, and directing the manner of trying slaves, the said justices shall pass sentence of death only, or they may, in their discretion, adjudge such slave to serve and labour for such time as they may think proper, not exceeding fourteen years for the same crime, on the public roads of Baltimore county, or in making, repairing, or cleaning the streets or basin of Baltimore-town; and if any slave shall be adjudged to serve and labour agreeably to this act, or if any servant shall be so adjudged for any offence not punishable with death, the said justices shall, immediately on conviction and condemnation, value such slave, or the time of such servant, and enter the same in their proceedings, and such value shall be assessed and collected with the county assessment, and paid to the owner of such slave or servant; and if any slave or servant adjudged to serve and labour according to this act shall survive his time of conviction, such slave or servant shall, immediately on the expiration thereof, be sold at auction by the order of any two or more of the said justices, and the money arising from the sale shall be applied to the use of the county; provided always, that