

C H A P.
V.
and subscribe
the Oath of
Abjuration,
and
The Test,

And that without the taking the aforementioned Oaths, and subscribing the Oath of Abjuration, and making and subscribing the Declaration following,

“ I A. B. do Declare, That I do Believe that there is not any Transubstantiation
“ in the Sacrament of the Lord's Supper, or in the Elements of Bread and Wine,
“ at or after the Consecration thereof, by any Person whatsoever :”

or shall not
be capable of
holding any
Office, &c.
Penalty on
Persons pre-
suming to ex-
ecute any Of-
fice, &c. con-
trary to this
Act.

Before some one of the Members of his Lordship's Honourable Council within this Province, for the Time being, or a Justice of the Provincial or County Courts, or before some Court of Record within this Province, (who are hereby authorized, impowered and required to administer the same, if applied to,) no Person or Persons whatsoever, shall be capable of holding, executing or enjoying any Office, Deputation or Trust within this Province whatsoever. And in case any Person or Persons whatsoever, shall presume to execute or enjoy any such Office, Deputation or Trust, contrary to the true Intent and Meaning of this present Act, the Commission, Deputation or Authority of such Person or Persons, is not only hereby declared to be utterly void, *ab Initio*, but also he or they so acting or offending, shall forfeit to his Lordship, the Right Honourable the Lord Proprietary of this Province, his Heirs and Successors, Two Hundred and Fifty Pounds Sterling; one Half to be applied to the Use of Free-Schools within this Province, the other Half to the Informer, or to him or them that shall sue for the same, to be recovered in any Court of Record within this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law to be allowed.

Proviso.

IV. **Provided always**, That no Person shall be liable to the Penalties of this Act, who shall comply therewith, when required by such Court of Record, or other Persons as have Power to administer the Oaths aforesaid, or who (if not required as aforesaid) shall within Six Months from the End of this present General Assembly, voluntarily comply with the same.

A fair Tran-
script of the
Oath of Ab-
juration and
Test shall be
kept by the
Clerk of eve-
ry Court, to
be signed by
Persons qua-
lifying in o-
pen Court.
The like
Transcript to
be kept by all
Councillors,
and Provinci-
al or County
Magistrates
who adminis-
ter the same
Oaths out of
Court.

V. **And be it further Enacted**, by the Authority aforesaid, That the Clerk of any Court of Record, where the Oaths and Declaration aforesaid, shall be administered, taken, made and subscribed as aforesaid, in open Court, is hereby obliged, *ex Officio*, to keep a fair Transcript in his Office, of the Oath of Abjuration, and of the Declaration aforesaid, to be subscribed by any Person or Persons taking the Oaths aforesaid; and shall make an Entry in his Minutes and Record Books, of the Time when such Person or Persons was Sworn, and did subscribe the Oath and Declaration aforesaid, and what Office or Trust they have, hold or enjoy, within this Province; and any of the Members of his Lordship's Honourable Council within this Province, Justices of the Provincial or County Courts, who shall administer the same Oaths out of Court, are hereby likewise required to keep a fair Transcript of the Oath of Abjuration and Declaration aforesaid, for every Person to subscribe, that takes the Oath aforesaid before them, and further shall certify, under their Hands, to the next County Court holden for the County where such Magistrates inhabit, the Names of all Persons by them sworn, the Time when, and the Office or Place of Trust they have, hold or enjoy; which Certificate the Justices of the respective County Courts shall cause to be entered by the Clerk of such Court, *ex Officio*, in the County Records.

But such Ma-
gistrates shall
not be oblig-
ed to admin-
ister the
Oaths out of
Court, except
at their own
Habitations.

VI. **Provided always**, That any Person or Persons that shall apply themselves to any of the Magistrates aforesaid, out of Court, to have the Oaths aforesaid administered to themselves, for any Office or Place of Trust as aforesaid, be obliged to repair to the Dwelling Place or Habitation of such Magistrate, where such Magistrate shall only be obliged to administer the same Oaths, and not elsewhere.

VII. **Provided also**, That nothing herein contained shall extend, or be construed to extend, to the exempting of such Persons who shall take the Oaths.