

to serve in any cause depending whether Criminal or civil (not being
by any other office exempted) and the points lawfully required shall
forfeit to their said Majesties their heirs and successors the sum of
five hundred pounds of Tobacco for the use aforesaid to be recovered
as aforesaid or two months imprisonment without Bayle or mainprize
And it further enacted by the Authority aforesaid that whosoever
being by writ lawfully summoned and thereby required to serve as a
witness in this Province and shall refuse to testify upon Oath in any
case depending whether Criminal or civil shall forfeit to our sovereign
Lord and Lady the King and Queen their heirs and successors the sum
of five hundred pounds of Tobacco for the use aforesaid to be
recovered in manner as aforesaid or suffer two months imprisonment
without Bayle or mainprize provided this clause shall not extend
to people called Quakers provided that this Act nor any thing therein
contained shall not extend or be interpreted to extend to the prejudice
of any the Lords of Mannors within this Province in their Priviledge of
appointing Constables within their respective Mannors provided
that if any person dissenting from the Church of England shall
hereafter be chosen or otherwise appointed to bear the Office of high
Constable Churchwarden or Overseer of the poor or any other Paro-
chiall or ward Office and such person shall be bound to take upon him
any of the said Offices in regard of the Oath or any other matter or
thing required by the Law to be taken and done in respect of such Office
every such person shall and may excuse such Office or Employment
by his sufficient Deputy by him to be provided that shall comply
with the Law on this behalf provided always the said Deputy
be allowed and approved by such person or persons in such manner
as such Officers or Officer respectively should by Law have been
allowed and approved provided notwithstanding that it shall be lawfull
for any Justice of the peace or other Magistrate lawfully Authorized
to comitt and punish such person and persons as shall refuse to take
the Oath mentioned in the said Act of Parlyament according to the