

to the Use of the County where the Offence shall be committed, to be levied on the Offender's Body, Goods and Chattels, Lands or Tenements; and in case the said Fine cannot be levied, the Offender to suffer Six Months Imprisonment without Bail or Mainprize; and that for the Second Offence, the Offender being thereof convicted as aforesaid, shall be stigmatiz'd by Burning in the Forehead with the Letter B. and fined Forty Pounds Sterling, to the Lord Proprietor, to be applied and levied as aforesaid; and in case the same cannot be levied, the Offender shall suffer Twelve Months Imprisonment without Bail or Mainprize; and that for the Third Offence, the Offender being convicted as aforesaid, shall suffer Death without the Benefit of the Clergy.

Fines to be levied on the Offender's Body or Goods, or be imprisoned.

Greater Punishment for the second Offence.

And Death for the Third.

*And be it Enacted,* That every Person that shall hereafter profanely swear or curse, in the Presence and hearing of any Magistrate, Minister, the Commissary-General, Secretary, Sheriff, Coroner, Provincial or County-clerk, Vestry-man, Church-warden, or Constable, or be convicted thereof, before any Magistrate, by the Oath of one lawful Witness, or Confession of the Party, shall, for the first Oath or Curse, be fined Two Shillings and Six Pence current Money; and for every Oath or Curse after the first, Five Shillings like Money; to be applied to the Uses aforesaid.

Fines for Swearing or Cursing,

*And be it Enacted,* That every Person that shall be drunk, in the Presence of any of the Persons aforesaid, or shall be thereof convicted in Manner aforesaid, before any Magistrate, shall be fined for every Offence Five Shillings current Money; to be applied as aforesaid.

For being drunk.

*And be it Enacted,* That where the said Fines shall not be immediately paid on Conviction, that it shall and may be lawful for the Magistrates, or other Officers aforesaid, and they are hereby required to order the Offender (not being a Freeholder or other reputable Person) to be whipt, or put in the Stocks; and for that Purpose to appoint any Person (not having a lawful Exemption) as a Constable, on such Occasion, to punish such Offender: And that any such Person to be so appointed, that shall refuse to obey such Magistrate, or other Officer, shall forfeit Ten Shillings current Money, to be applied as aforesaid; for which Fine, the Magistrate or other Officer, shall and may give Judgment, and award Execution against such Offender: And that where the Offenders shall be Freeholders, or other reputable Persons, and shall not have Money to pay the aforesaid Fines, the Magistrate or other Officer, shall be and are by this Act required to certify all such Convictions to the several County-clerks where the Offence shall be committed, who shall, every November Court, make out Lists thereof with the County-Levy, to the several Sheriffs, under the County-Seal; by Virtue whereof, the Sheriffs shall and may levy the same in Money, or Tobacco at One Penny per Pound, by way of Execution, as other publick Dues are to be levied.

Offenders not paying the Fines to be whipt or put in the Stocks, By any Person the Magistrate shall appoint.

On Penalty.

Offenders being reputable Persons, for Want of Money may pay in Tobacco.

*Provided always,* That no Offender shall receive above Thirty-nine Lashes, or be kept in the Stocks above Three Hours, upon any one Conviction.

Punishments limited.

*And be it Enacted,* That every Magistrate or other Officer appointed to put this Act in Execution, and being guilty themselves of Cursing, Swearing, or Drunkenness, or omitting to punish others according to Law, shall, for every such Offence or Omission, and Conviction thereof, in Manner aforesaid, before any other Magistrate or Officer aforesaid, forfeit Ten Shillings current Money; to be levied and applied as aforesaid.

Magistrates being guilty, to forfeit Ten Shillings.

*And*