

An Act to Punish Blasphemy Swearing Drunkenness and Sabbath Breakers and for repealing the Lawes heretofore made for the Punishing such Offenders

Examined.

Be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordship's Governour and the Upper and Lower houses of Assembly and the Authority of the same That if any person shall hereafter within this Province wilfully maliciously and advisedly by writing or speaking Blasphemy or Curse God or deny our Saviour Jesus Christ to be the son of God or shall deny the holy Trinity the Father son and holy Ghost or the Godhead of any of the three persons or the unity of the Godhead or shall utter any profane words concerning the holy Trinity or any the persons thereof and shall be thereof convicted by Oath or Confession shall for the first Offence be bound through the Tongue and find Twenty pound Sterling to the Lord Proprietor to be applyed to the use of the County where the Offence shall be Comitted to be layed on the Offenders Body goods or Chattels Lands or Tenements and in case the said fine cannot be layed the Offender shall suffer six Months Imprisonment without Bail or Mainprize And that for the second Offence the Offender being thereof convicted as aforesaid shall be stigmatized by burning in the forehead with the letter B and find forty pounds Sterling to the Lord Proprietor to be applyed as aforesaid And in case the same cannot be layed 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 Benefit of the Clergy

And be it enacted that every person that shall hereafter profanely swear or curse in the presence and hearing of any Magistrate Minister the Comptroller Generall Constable Sheriff Coroner provinciall or County Clerk Justice Man Church Warden or Constable or be convicted thereof before any Magistrate by the Oath of two lawfull witnesses or Confession of the Party shall for the first Offence be fined two shillings and six pence Current Money and for every Oath or Curse after wards the first five shillings like money to be applyed to the uses aforesaid

And be it enacted that every person that shall be Drunk in the presence of any the Persons aforesaid or shall be thereof convicted in manner aforesaid shall be fined for every Offence five shillings Current Money to be applyed as aforesaid

And be it enacted that where the said Fines shall not be judiciously paid on Conviction that it shall and may be lawfull for the Magistrates or other Officers aforesaid and they are hereby required to order the Offender (not being a freholder or other reputable person) to be whipped or put in the stocks. And for that Purpose to Appoint any person not having a lawfull Reputation 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 applyed 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 freholders or other reputable persons and shall not have money to pay the aforesaid fines the Magistrate or other Officer shall be and be by this Act required to Certifie all such Convictions to the severall County Clerks where the Offences shall be Comitted who shall every November next make out Lists thereof with the County Levy to the severall Sheriffs under the County Seal by Certifie whereof the Sheriffs shall and may Levy the same in Money or Tobacco at One penny for pound by way of Execution as other Publick Dues are levied - Provided always that no Offender shall receive above thirty Nine lashes or be kept in the stocks above three hours upon any one Conviction

And be it enacted that every Magistrate or other Officer Appointed to put this Act in Execution and being guilty themselves of Curious Swearing or Drunkenness or Omittting to Punish others according to Law shall for every such Offence or Omision and Conviction thereof in manner aforesaid before any other Magistrate or Officer aforesaid forfeit ten shillings Current Money to be