

and in such Case, the Plaintiff or Plaintiffs, shall be Nonsuit, and pay the Defendant's Costs; and in case any Plaintiff or Plaintiffs shall refuse to submit to such Examination, such Refusal shall be deemed and taken to be a Confession or Proof of the Fact.

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LXXV. And be it likewise Enacted, That if any Plaintiff in any such Case, shall knowingly Swear or Affirm falsely, and be thereof convicted, he, she, or they, shall suffer as in case of wilful and corrupt Perjury.

Punishment
for false
swearing.

LXXVI. Provided always, and it is the true Intent and Meaning of this Act, That nothing therein contained shall extend or be construed to extend, to vacate or abolish any Contract, Bargain, or Agreement, made for the Payment of Tobacco in Specie, before the said Sixteenth Day of May, Seventeen Hundred and Forty-seven; but that such Bargain, Contract, or Agreement, shall be and remain in full Force and Effect; any Thing in this Act contained to the contrary notwithstanding.

Contract for
Tobacco in
Specie.

LXXVII. And be it further Enacted, That all Bonds (with Power of Attorney to confess Judgment), taken for Money in lieu of Tobacco, between the Fifteenth Day of May, Seventeen Hundred and Forty-seven, and the First Day of December, Seventeen Hundred and Forty-eight, shall be and are hereby made void and of no Effect: And it shall not be lawful for any Justices of any Court within this Province, to render or give Judgment on such Bonds, by virtue of such Power of Attorney; and no Clerk or Clerks of any Court or Courts, within this Province, shall issue or make out any Execution, upon such Judgment. And that during the Continuance of this Act, no Judgments shall be entered on any Judgment Bonds for Money, taken after the Fifteenth Day of May, One Thousand Seven Hundred and Forty-seven, until the Court, Judge, or Justice, before whom a Judgment is or shall be offered to be entered up, be satisfied, that the Defendant or Defendants, is or are actually run away; nor even then, unless the Plaintiff or his Attorney in Fact, or one acquainted with the Transaction, makes Oath, that the Bond was not passed for a Tobacco Debt, contrary to the true Intent and Meaning of this, or the aforesaid other recited Act.

Judgment
Bonds taken
for Money in
lieu of To-
bacco.

LXXVIII. And, whereas the excessive Quantity of Tobacco made, may, in some Measure, depreciate that Branch of Trade: In order therefore to encourage the manufacturing of Hemp, Flax, and other proper Materials, for the necessary Cloathing and Use of his Majesty's Subjects within this Province, and to divert Part of the People from labouring in Tobacco; Be it Enacted by the Authority, Advice and Consent aforesaid, That from and after the End of this Session of Assembly, it shall and may be lawful for any Person or Persons, not making Tobacco by themselves, Servants or Slaves, within this Province, to pay, at or before the Tenth Day of April yearly, or as the Business, or Services, they may want in any of the Offices, shall be done, during the Continuance of this Act, as well the Poll Tax due to the Clergy, as all Lawyers, and Officers Fees, and Assessments for building or repairing Churches, in Gold and Silver, as regulated by this Act; and that such Payment, or Tender thereof, and Refusal, shall be a full Satisfaction and Discharge for the same, though charged in Tobacco; any Law, Statute, Usage, or Custom, or any thing contained in this Act, to the contrary thereof in any wise notwithstanding.

Encourage-
ment for Per-
sons not mak-
ing Tobacco.

To pay off
Taxes and
Fees, in Gold
and Silver, as
regulated by
this Act.

LXXIX. Provided always, That every Person or Persons allowed by this Act to pay Gold and Silver instead of Tobacco due as aforesaid, shall make Oath, or Affirmation if a Quaker, That he did not, in the Year preceding, by himself, or by his Children, Servants, or Slaves, make any Tobacco for Sale.

To be sworn
that they
made no To-
bacco for
Sale.