

name thereto, in such book as contains the oath, if such person takes the said oath, or in such book as contains the affirmation, if such person takes the said affirmation; and if such person cannot write his name, he shall enter his mark, and the magistrate shall thereto set his name.

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XX.

V. And, For the ascertaining such as shall neglect to take the said oath, or affirmation, and that there may be a record evidence of such neglect,

VI. Be it enacted, That every magistrate aforesaid, shall make out fair copies of his said books, with all convenient dispatch, after the aforesaid first day of March, and the same transmit to the governor and council of this state, and shall deliver the original books to his next county court which shall happen after the said first day of March next, there to be recorded.

Magistrates to make out copies of their books, &c.

VII. And be it enacted, That every magistrate of the county shall, and he is hereby enjoined and required to attend one day in every week, until the said first day of March next, at the most convenient places in his neighbourhood, with his books aforesaid, for the purpose of administering the oath, or affirmation, aforesaid, and for the purpose of having the same subscribed to, in manner and form aforesaid; and the said justices shall give public notice, by advertisement, of such places and days of meeting as aforesaid.

And to attend one day in every week, &c.

VIII. And be it enacted, That every constable of every hundred shall, before the first day of March next, make out a fair alphabetical list of all the free male inhabitants, residents in his hundred, and not out of the state, or hereafter not exempted from taking the said oath, or affirmation, who shall be of the age of eighteen years, on or before the aforesaid first day of March, and a copy of the said list, with all convenient dispatch, transmit to the governor and council, and the original list shall deliver to the next county court of his county which shall happen after the aforesaid first day of March next, there to be recorded.

Constables to make out a list of inhabitants, &c.

IX. And be it enacted, That every magistrate shall be allowed, in the county levy, the same per diem allowance, for every day he shall attend, in pursuance of this act, to take the oath or affirmation aforesaid, as is allowed the justices for their attendance in the county court: And the several county courts are hereby empowered and directed to make the several constables in their counties such allowance, for their trouble in making and returning their lists aforesaid, in their next county levy, as to them shall appear reasonable.

Allowance to magistrates, &c.

X. And be it enacted, That if any magistrate shall neglect to keep such books, or shall neglect to make copies and transmit them to the governor and council, or shall neglect to deliver the original books, as respectively required by this act, he shall forfeit and pay the sum of five hundred pounds current money: And every constable, who shall neglect to make out the list, or neglect to transmit the copy of such list, or shall neglect to return the original list, as respectively required by this act, shall forfeit and pay the sum of two hundred pounds current money.

Penalty on neglect of duty.

XI. And