

if any such person shall exercise and practise the trade of merchandise, without previously taking the oath or affirmation as aforesaid, he shall, for every such offence, forfeit and pay five pounds for every hundred pounds of property such person shall be deemed worth on the public assessment of all property within this state.

*And be it enacted,* That every person chargeable with the treble tax aforesaid, shall be for ever disabled, and rendered incapable to practise the law, physic, or surgery, or the art of an apothecary, or to preach or teach the gospel, or to teach in public or private schools, or to hold or exercise within this state, any office of profit or trust, civil or military, or to vote at any election of electors of senators or of delegates to the house of delegates; and if any such person shall offend against this act, in any of the particulars above specified, he shall, for every such offence, forfeit and pay five pounds for every hundred pounds of property he shall be deemed worth, on the public assessment of all property within this state.

*Provided nevertheless, and be it enacted,* That if any person, required by this act to take the oath, or affirmation, aforesaid, and whose name, or mark, shall not be found subscribed as aforesaid, shall make it appear to the governor and council, within six weeks after the first day of March next, or to the county court of the county where such person resides, which shall first happen after the said first day of March next, that such person is not a person offending against this act, and, if of the age of eighteen years, at the time of such application to the governor and council, or county court, as aforesaid, shall take the said oath or affirmation (as the case may be) such person shall not be subject to the said treble tax and disabilities aforesaid; and, on acquittal by the said governor and council, or by the said county court, such person shall obtain a certificate thereof, and be entitled to have his name enrolled in one of the magistrates books as aforesaid; and if such person has been set down on the list chargeable with the treble tax, and transmitted to the commissioners, the said commissioners are hereby enjoined, on such person's producing the certificate aforesaid, to correct the said list, and give notice thereof to the collector.

*And be it enacted,* That all persons, not having signed the association, who have fled from this state since the fourteenth day of August, seventeen hundred and seventy-five, to avoid taking an active part in the defence thereof, and have crossed the seas, and who shall not return on or before the first day of September, seventeen hundred and seventy-nine, and take the oath or affirmation as aforesaid, within one month after their return to this state, shall be liable to the treble tax, and to the disabilities imposed by this act.

*Provided nevertheless,* That nothing in this act contained shall extend, or be construed to extend, to any persons who, having fled from this state as aforesaid, shall, at any time since their flight, have taken an active part against the same, or against the United States, by adhering to the British army or navy.

*And,* For the better ascertaining what persons have fled from this state, as aforesaid,

*Be it enacted,* That the justices of the several county courts shall annually, at their respective August courts, make diligent enquiry after every person who has fled from his county as aforesaid, or who, returning after the first day of March next, shall neglect to take the oath or affirmation aforesaid, within the time limited as aforesaid; and the said justices shall enter his name on the minutes of the proceedings of their court at their then sitting, and, from the said minutes, shall make a fair and alphabetical list of the names of all such persons as aforesaid, and transmit the same to the governor and council.

*And,* Whereas many of the male subjects of this state, above the age of eighteen years, are out of this state, on some lawful purposes, in some of the neighbouring states, or in parts beyond the seas:

*Be it enacted,* That no such person shall be affected by any matter or thing contained in this act, unless such person, for three months after his return, shall wilfully neglect to take the said oath or affirmation (as the case may be) before the governor and council, or some magistrate of the county or city where he resides.

*And,* In order to discover whether the persons aforesaid, absent from this state on or before the first day of March next, and returning after that day, have taken the oath or affirmation aforesaid, within the time limited as aforesaid,

*Be it enacted,* That the justices of the several county courts shall annually, at their respective August courts, make diligent enquiry after all such persons returning as aforesaid, and omitting to take the oath or affirmation aforesaid, within the time limited as aforesaid, and shall enter their names on the minutes of the proceedings of their court, and fair and alphabetical lists make thereof, and transmit them to the governor and council.

*And,* Whereas all persons in the regular service of this state, or of the United States, or of any of them, have already given, by such service, sufficient proof of their attachment to the freedom and independence thereof,

*Be it enacted,* That no general, field, commissioned, warrant, or staff officer, or other officer, nor any soldier, or person in the regular service of this state, or the United States, or any of them, shall be affected by any matter or thing herein contained.