

advantage and disappointment of the officers; for prevention whereof for the future:

[Section VIII.] Be it enacted by the authority aforesaid, That it shall and may be lawful to and for the master of the rolls, and office of enrolment, for the time being, his deputy and deputies, to have, receive and take for every patent, deed, or writing to be recorded in the said office or offices, that shall lie in his or their hands not paid for by the owner, above the space of one month next after the same is recorded, the sum of two pence per month for every month then following, so long as the same shall remain unpaid for as aforesaid; which said sum of two pence per month, together with the fees of the office, and offices aforesaid, the said officer, his deputy and deputies, shall recover in any court in this province, or before any inferior judicature or jurisdiction in the same for recovery of debts under forty shillings.

Passed February 28, 1710-11. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Act of Assembly passed May 28, 1715, Chapter 208.

CHAPTER CLXXI.

AN ACT DIRECTING AN AFFIRMATION TO SUCH WHO FOR CONSCIENCE
SAKE CANNOT TAKE AN OATH.

Whereas William Penn, Esquire, Proprietary and Governor of this province together with the greatest part of the freeholders thereof were at the first settling of this colony and still continue to be such who for conscience' sake can neither take nor administer an oath, as also divers of those from a tender scruple of conscience cannot take the affirmation allowed by law to Quakers in Great Britain, and forasmuch as there is great danger of a failure of justice if so considerable a number of the inhabitants be made incapable of giving evidence; therefore, to the end that they may be the better enabled and qualified for such offices, places and stations as they may be required to serve in:

[Section I.] We humbly pray that it may be enacted and be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That when any such person who for conscience' sake cannot take an oath shall be called before any magistrate or proper officer to give evidence in any matter or case whatsoever, such magistrate or officer shall administer the affirmation as hereinafter directed to such person or persons in these words:

A. B., thou art called here to give thy evidence; dost thou protest solemnly and declare that the evidence thou shalt give be the truth, the whole truth, and nothing but the truth; and the affirmant shall answer yea or yes.

[Section II.] And be it further enacted by the authority aforesaid, That the said affirmation shall be adjudged and taken and is hereby declared to be of [as] full force and effect as if the same had been by oath and the same affirmation changing what should be changed shall sufficiently qualify any such aforesaid person or persons to serve in, execute and exercise any office, place or station in this province, any law, usage or custom to the contrary hereof in anywise notwithstanding.

Provided always, That all such who shall be hereafter commissioned by the governor to be magistrates or officers, as also all members of assembly, before they enter upon or act in their respective places, offices and trusts, shall subscribe the effect of the declaration and profession of faith according to the act of parliament made the first year of the reign of King William the Third, entitled "An act for exempting their majesties' subjects dissenting from the Church of England from the penalties of certain laws."

Provided always, That nothing in this act contained shall be construed or deemed to hinder any magistrate or proper officer from administering an oath to any person who doth not make scruple of conscience to take the same.

[Section III.] And be it further enacted by the authority

aforesaid, That if any person or persons taking such solemn affirmation as aforesaid shall be lawfully convicted willfully, falsely and corruptly to have affirmed or declared any matter or thing which if the same had been upon oath would by the law of Great Britain have amounted unto willful and corrupt perjury, such person shall incur the same penalties as by the laws and statutes of Great Britain are enacted against persons convicted of willful and corrupt perjury.

Passed February 28, 1710-11. Repealed by the Queen in Council, December 19, 1711, and February 20, 1713-14. See Appendix III, Sections I and II, and the Act of Assembly passed May 28, 1715, Chapter 204.

CHAPTER CLXXII.

AN ACT THAT NO PUBLIC HOUSE OR INN WITHIN THIS PROVINCE BE KEPT WITHOUT LICENSE.

For preventing of disorders and the mischiefs that may happen by multiplicity of public houses of entertainment:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That no person or persons whatsoever within this province shall hereafter have or keep any public inn, tavern, alehouse, tipling-house or dramshop, victualing house or public house of entertainment in any county of this province, or in the city of Philadelphia, unless such person or persons shall first be recommended by the justices in the respective county courts, and the said city, in their quarter-sessions or court of record for the said