

Provided also, That where no time in and by any last will and testament is limited for the payment of any such legacies, that then and in such case the said executors or administrators shall have the space of one year to discharge the same.

[Section IV.] And be it enacted by the authority aforesaid, That this act shall continue in force for the term of seven years and from thence to the end of the next session of assembly and no longer.

Passed February 3, 1742-43. See Appendix XV, Section I, and the Acts of Assembly passed January 27, 1749-50, Chapter 385; March 17, 1757, Chapter 419; September 20, 1765, Chapter 529.

CHAPTER CCCLIX.

AN ACT FOR NATURALIZING SUCH FOREIGN PROTESTANTS AS ARE SETTLED OR SHALL SETTLE WITHIN THIS PROVINCE, WHO, NOT BEING OF THE PEOPLE CALLED QUAKERS, DO CONSCIENTIOUSLY REFUSE THE TAKING OF ANY OATH.

Whereas by an act of Parliament passed in the thirteenth year of the reign of our present sovereign, King George the Second, entitled "An act for naturalizing such foreign Protestants and others therein mentioned as are settled or shall settle in any of His Majesty's colonies in America,"¹ it is amongst other things provided and enacted that from and after the first day of June in the year of our Lord one thousand seven hundred and forty all persons born out of the ligeance of His Majesty, his heirs or successors, who have inhabited and resided or shall inhabit and reside for the space of seven years or more in any of His Majesty's colonies in America, and shall not have been absent out of some of the said colonies for a longer space than two months at any one time during the said seven years, and shall take and subscribe the oaths and make, repeat and subscribe the declaration appointed by an act made in the first year of the reign of his late Majesty, King George the First, entitled "An act for the further security of His Majesty's person and

¹ 6 Ruffhead, 384.

government,"¹ &c., or being of the people called Quakers shall make and subscribe the declaration of fidelity and take and affirm the effect of the abjuration oath appointed and prescribed by an act made in the eighth year of his said late Majesty, entitled "An act for granting the people called Quakers such forms of affirmation or declaration as may remove the difficulties which many of them lie under,"² and also make and subscribe the profession of his Christian belief appointed and prescribed by an act made in the first year of the reign of their late Majesties, King William and Queen Mary, entitled "An act for exempting their Majesties' Protestant subjects from the penalties of certain laws,"³ before the chief judge or other judge of the colony wherein such persons respectively have so inhabited and resided or shall so inhabit and reside, shall be deemed, adjudged and taken to be His Majesty's natural-born subjects to all intents, constructions and purposes, as in and by the said act among other things fully appears.

And whereas by an act of assembly of this province made in the fourth year of the reign of the said late King George the First and approved of by the lords justices in council, entitled "An act for the advancement of justice," &c.,⁴ it was among other things enacted that the affirmation of such persons (whether of the people called Quakers or others) as conscientiously refuse to take an oath shall be accounted and deemed in the law to have the full effect of an oath in any case whatsoever in this province.

And whereas divers persons born out of the ligeance of our said present sovereign, King George the Second, from the lenity of our government, the benefit of our laws, the advantages of our trade and the security of our property, have been induced to settle within this colony, and although otherwise qualified according to the tenor of the act of Parliament aforesaid are not of the people called Quakers and do conscientiously refuse to take any oath and are thereby disabled from partaking of

¹ 5 Ruffhead, 30.

² 5 Ruffhead, 363.

³ 3 Ruffhead, 424.

⁴ Passed May 31, 1718, Chapter 236.

the benefit British subjects in this colony enjoy and by the act of Parliament aforesaid is intended:

Therefore for removing of these difficulties and those of others who may hereafter come amongst us in like circumstances:

[Section I.] Be it enacted by [the Honorable] George Thomas, Esquire, with the King's approbation Lieutenant-Governor under the Honorable John Penn, Thomas Penn and Richard Penn, Esquires, true and absolute Proprietors of the Province of Pennsylvania and the counties of Newcastle, Kent and Sussex on Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act all persons being Protestants born out of the ligeance of our present sovereign, King George the Second, his heirs or successors, who shall conscientiously refuse an oath and have inhabited and resided or shall inhabit and reside for the space of seven years or more within this province and shall not have been absent out of the same or some other of the colonies in the said act of Parliament mentioned for a longer space than two months at any one time during the said seven years, and shall make and subscribe the declaration of fidelity and the profession of his Christian belief, and take and affirm the effect of the abjuration oath before the chief judge or other judge of the supreme court of this province in such sort, manner and form as in and by the said act of Parliament is directed to be done and performed by the people called Quakers, shall be deemed, adjudged and taken to be the King's natural-born subjects of this province to all intents, constructions and purposes as if they and every of them had been or were born within this province, which said affirmations the said chief judge or other judge aforesaid is hereby enabled, empowered and required to administer and take. And when administered and taken an entry thereof shall be made in the said court and in the secretary's office and the names of the persons transmitted to the commissioners for trade and plantations yearly in like manner as by the act of Parliament hereinbefore recited is directed. And for administering the said

affirmations and making entries thereof the judges and secretary aforesaid respectively shall be entitled to the like fees and be under like penalties as in [and by] the said act of Parliament is directed and inflicted.

Passed February 3, 1742-43. See Appendix XV, Section I, and note to the Act of Assembly passed May 28, 1715, Chapter 204; and the Acts of Assembly passed March 21, 1772, Chapter 660; June 13, 1777, Chapter 756; October 12, 1777, Chapter 765; April 1, 1778, Chapter 796; September 10, 1778, Chapter 813; December 5, 1778, Chapter 822; October 1, 1779, Chapter 852; September 13, 1785, Chapter 1175, and the Laws of the United States regulating the subject.