

[Section V.] And be it further enacted by the authority aforesaid, That so much of the act before mentioned, entitled "An act to prevent the exportation of bread and flour not merchantable," as relates to the nomination of officers for putting the same act in execution, and so far as it is hereby altered, shall be and hereby is repealed, declared null and void; but that all other clauses, matters and things in the said act contained shall be and are hereby declared to be in full force, strength and virtue as fully to all intents, constructions and purposes as if this present act had not been made.

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

Passed March 7, 1745-46. Confirmed by the Lords Justices in Council, October 29, 1748. See Appendix XVI, Section I, and note to the Act of Assembly passed January 19, 1733-34, Chapter 332.

The Act in the text was continued by the Acts of Assembly passed August 18, 1750, Chapter 386; September 27, 1758, Chapter 435, October 19, 1759, Chapter 452; and then allowed to expire.

CHAPTER CCCLXIX.

AN ACT FOR THE MORE EFFECTUAL SUPPRESSING PROFANE CURSING AND SWEARING.

Whereas the sins of profane cursing and swearing are odious and abominable to Almighty God and all good men, and may draw down God's judgments were such grand offenses to go unpunished. And whereas it is found by experience that the act of general assembly of this province, entitled "An act to prevent the grievous sins of cursing and swearing,"¹ hath proved ineffectual to the suppressing of those detestable sins by reason of some deficiencies in the said act:

[Section I.] Be it therefore enacted by the Honorable George Thomas, Esquire, Lieutenant-Governor, with the King's approbation under the Honorable John Penn, Thomas Penn and Rich-

¹Passed November 27, 1700, Chapter 44.

ard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex on Delaware by and with the consent of the representatives of the freemen of the said Province in General Assembly met, and it is hereby enacted by the authority of the same, That if any person or persons within this province of the age of sixteen years or upwards from and after the publication hereof shall profanely swear or curse in the presence or hearing of any justice of the peace of any county or of the mayor or other head officer or justice of the peace of any city, borough or town corporate where such offense is or shall be committed, or that shall thereof be convicted by the testimony of one witness or by the confession of the party offending before any justice of the peace of the county or mayor or other chief officer or justice of the peace of such city or town corporate where the said offense shall be committed, that then for every such offense the party so offending shall forfeit and pay for the use of the poor of the place where such offense or offenses shall be committed the respective sums or penalties hereinafter mentioned: (That is to say) for the first offense, the sum of five shillings or suffer five days' imprisonment in the house of correction at hard labor and be fed with bread and water only during that time; and in case any of the persons aforesaid shall after conviction as aforesaid offend a second or other time, such person shall forfeit and pay for each such offense double the sum aforesaid or suffer ten days' imprisonment in manner aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That if any person or persons within this province under the age of sixteen years shall profanely swear or curse as aforesaid and be thereof duly convicted as aforesaid, every such person shall forfeit and pay the like sums as aforesaid for the respective offenses aforesaid; or in default thereof, then and in every such case any justice of the peace of the county or mayor or other head officer or justice of the peace of any city or town corporate where the offense shall be committed or the offender inhabit, by warrant under the hand and seal of the said justice of the peace or other officer aforesaid, and for any number of offenses whereof any person or persons shall be so convicted, to

order that he or she be whipped by the constable or by the parent, guardian or master of such offender in the presence of the constable.

[Section III.] Provided always and it is hereby enacted, That no person or persons shall be prosecuted or troubled for any offense against this act unless the same be proved or prosecuted within five days after the offense committed.

And to the end this act may be the more generally known and observed and that such who may transgress against the tenor of the same may be the less excusable,

[Section IV.] Be it further enacted by the authority aforesaid, That as soon as may be after the publication of this act, the printer thereof shall deliver or cause to be delivered unto every of the constables of the several wards in the city of Philadelphia, and unto every of the constables of every township and borough in every of the counties within this province, a copy of the same printed on a single sheet of paper, who shall forthwith after the receipt thereof affix the same in the most public place in their respective wards and districts under the penalty of five pounds unto each constable who shall neglect his duty therein, to be recovered by action of debt in any court of record within this province with costs of suit, one-half part thereof to him who will sue for the same, the other half to the use of the poor of the place wherein the offense shall be committed.

[Section V.] And be it further enacted by the authority aforesaid, That so much of the before recited act which relates to profane swearing and cursing shall be and is hereby declared to be repealed, made null and void.

Passed March 7, 1745-46. Confirmed by the King in Council October 29, 1748. See Appendix XVI, Section I, and notes to the Acts of Assembly passed November 27, 1700, Chapter 44; May 31, 1718, Chapter 236.