

or her Lands, Tenements, or Hereditaments, Goods and Chattels, (his or her Wearing-Apparel, Bedding for him or herself and Family, and necessary Tools for the use of his or her Trade or Occupation, excepted) in the same Manner as if he or she had never been taken in Execution for the said Debt.

*Provided also*, That if any Person who shall take such Oath as aforesaid, before the said two Justices, or before the said Court as aforesaid, shall, upon any Indictment for Perjury in any Matter or Particular contained in the said Oath, be convicted by his or her own Confession, or by Verdict of Twelve Men, as he or she may be by Force of this Act, the Person so Convicted, shall suffer all the Pains and Forfeitures, which by Law be inflicted on any Person Convicted of wilful Perjury, and shall be liable to be taken upon any Process, *De-Nova*, and charged in Execution for the said Debt, in the same Manner as if he or she had never been discharged or taken in Execution before, and shall never afterwards have the Benefit of this Act.

*Provided also*, That if the Effects so assigned shall not extend to satisfy the whole Debts due to the Persons at whose Suit, he or she was charged, and the Fees due to the said Provost-Marshal or Goaler, there shall be an Abatement in Proportion; and such Provost-Marshal or Goaler shall come in as a Creditor, for what shall be then due to him for his Fees, in proportion with the Creditors at whose Suit he or she was charged in Execution.

*That* where there are mutual Debts between the Plaintiff and Defendant, or if either Party sue or be sued as Executor or Administrator, where there are mutual Debts between the Testator or Intestate, and either Party, one Debt may be set against the other, and such Matter may be given in Evidence upon the *General Issue*, or Plead in Barr, as the Nature of the Case shall require, so as at the Time of his or her Pleading the *General Issue*, where any such Debt of the Defendant, his Testator or Intestate, is intended to be insisted on in Evidence, Notice shall be given of the particular Sum or Debt so intended to be insisted on, and upon what Account it became due; or otherwise such Matter shall not be allowed in Evidence, upon such *General Issue*.

*That* every Provost-Marshal or his Deputy, Bailiff or other Officer or Minister aforesaid, offending against this Act, shall (over and above such Penalties or Punishments, as he shall be liable unto by the Law now in Force) for every Offence against this present Act, forfeit and pay to the Party thereby grieved, the Sum of *Fifty Pounds*, to be recovered, with *Treble Costs* of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Law within this Province, wherein no *Essoign*, Protection, or Wager of Law, or more than one *Impar lance* shall be allowed.

*That* in all Cases wherein, by this Act, an Oath is required, the Solemn Affirmation of any Person, being a Quaker, shall and may be accepted and taken in lieu thereof, and every Person making such Affirmation, who shall be Convicted of wilful and false Affirming, shall incur and suffer such and the same Pains, Penalties and Forfeitures, as are inflicted and imposed, by the Laws and Statutes now in force, upon Persons convicted of wilful and corrupt Perjury.

*That*