

CHAPTER XXXV.

AN ACT AGAINST JURORS ABSENTING, BEING LAWFULLY SUMMONED TO ATTEND THE SEVERAL COURTS OF JUDICATURE WITHIN THIS PROVINCE AND TERRITORIES.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all persons, freemen within this province and territories, being duly and legally summoned to appear at any court to serve upon the jury or any inquest required by law, and [sic] shall neglect or omit to give their attendance, shall be fined by the respective courts where they were summoned to attend, in any sum not exceeding twenty shillings, for the use of the poor of the county where such offense shall be committed; unless at the next succeeding court they shall render a reasonable excuse for such their absence, to be allowed of by the judges or justices then present.

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II, and the Act of Assembly, passed May 20, 1767, Chapter 560.

CHAPTER XXXVI.

AN ACT FOR THE DETERMINING OF DEBTS UNDER FORTY SHILLINGS.

To the end that speedy justice may be done to the poor, and in small matters:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That upon complaint made to any justice of the peace, it shall and may be lawful for him, and he is hereby em-

powered, to issue out his warrant, directed to the constable, to summon the defendant to appear before him at such time and place as he shall appoint; and upon a full hearing and good evidence he shall give his judgment in the matter, which shall be final and conclusive to both plaintiff and defendant without further appeal; and execution shall be awarded against the person refusing to comply with the judgment, to levy the same upon his goods and chattels, and for want of goods and chattels against his body.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly, passed January 12, 1705-6, Chapter 130.

CHAPTER XXXVII.

AN ACT TO PREVENT IMMODERATE FINES.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all fines shall be moderate, saving men's contentments, merchandise and wainage, which is to say, their furniture of their calling and means of livelihood.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II.

CHAPTER XXXVIII.

AN ACT ABOUT DEFALCATIONS.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, For the avoiding of numerous suits, if two men