

CHAPTER CII.

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[THE LAW AGAINST PERSONS JUDGING IN THEIR OWN CAUSE.

To the end that justice may have its free course in this province or 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 no member of a court of justice shall sit in judgment whilst his own cause is upon trial; and if an appeal shall at any time be made from the judgment of the court to the provincial judges, or to the governor and council.

[Section II.] It is hereby further enacted, That no judge or member of [such] council shall sit in judgment upon that appeal.]

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.

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CHAPTER CIII.

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[THE LAW ABOUT OFFICERS' FEES.

To prevent extortion in officers, and to reduce the table of fees to a greater certainty:

[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 the clerks' fees shall be:

	L.	s.	d.
For all actions entered and withdrawn before the court, .....	..	6	0

	L.	s.	d.
For every action upon confession of judgment or <i>nihil dicit</i> , .....	..	10	0
For every action coming to trial by jury and judg- ment, .....	..	15	0
For every transcript of the records upon appeals, be it more or less, .....	..	6	0
For acknowledging a deed in court, .....	..	2	0
For entering the appeal and recognizance to prose- cute, .....	..	3	0

The fees in the Provincial Court, double of what is allowed in the county court.

The sheriff's fees shall be:

For every action withdrawn before the court, ...	..	6	0
For every action coming to judgment by confes- sion or verdict, .....	..	10	0
For every execution under twelve pounds, .....	..	6	0
For all sums above twelve pounds, six pence per pound, with the necessary charge of portage and carriage.			
To the sheriff for every cause in the Provincial Court coming in by appeal, .....	..	6	0
To the sheriff for a prisoner discharged in criminal cases, .....	..	15	0
To the clerk, to be paid by the prisoner, .....	..	12	0
To the Attorney-General, to be paid by the pris- oner, .....	..	12	0
To the juries, eight shillings for every cause, .....	..	8	0
To the witnesses, two shillings per diem, .....	..	2	0
To the justices for every cause in court, .....	..	4	0
For a special court, .....	1	4	0

The coroner shall be allowed as heretofore:

(That is to say)—

For viewing a dead body, .....	..	10	0
A warrant to summon the inquest, .....	..	2	0

	L.	s.	d.
Entering the verdict of the inquest, .....	1	0	0
Returning the inquest, .....	1	0	0
To the inquest per man, .....	3	0	0
Arresting the sheriff or any other person, .....	3	0	0

The Master of the Rolls' fees:

For recording the laws and statutes of this province in parchment, and in a fair, close hand, for every line one-half penny, to be paid by the public, with the parchment, per line, .....	..	..	00½
For recording deeds, conveyances and other things which appertain to the Rolls office, he shall have for every line as it stands recorded in a close, fair hand, he finding paper parchment, per line, .....	..	1	0
For a copy of any records, for every line as it stands recorded, .....	..	..	01½
For a search of any roll or record, .....	..	1	6

The Register General's fees shall be as heretofore hath been used: (That is to say)—

For registering every birth, .....	..	..	6
For writing a marriage certificate on parchment, ..	..	2	6
For registering the death of any person, .....	..	..	4
For registering the marriage of any person, .....	..	1	0
For registering the name of each servant, the day of his service, the day of payment or freedom, ..	..	6	0
For registering a will, .....	..	3	0
For registering a letter of administration, .....	..	5	0

To the justice's clerk:

For every warrant of <i>mittimus</i> , .....	..	1	0
For every recognizance, .....	..	1	0
For every deposition or affidavit, .....	..	1	0
For every certificate or pass, .....	..	1	0

Constable's fees:

For serving a warrant, .....	..	1	0
For traveling charges, a penny per mile for going and a penny per mile for coming, .....	..	..	1

	L.	s.	d.
For his attendance upon every jury, .....	..	..	6
Crier's fees:			
For every action called in court, .....	..	..	9]

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 Acts of Assembly, passed February 23, 1710-11, Chapter 169; May 28, 1715, Chapter 216; March 30, 1722-23, Chapter 270, and August 22, 1752, Chapter 398.

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## CHAPTER CIV.

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### [THE LAW ABOUT INDIAN TRADERS.]

Whereas great complaints have been made, that divers persons who are non-residents and unsettled come into this province and privately and clandestinely deal and trade with the Indians; who by reason of their non-residence as aforesaid, and frequent removal from one province to another, are not careful in maintain[ing] a fair correspondence with the said Indians, and often oppress and abuse them in their way of trading and dealing with them; which may provoke and stir up the Indians to a revenge of the said abuses, to the great prejudice and disquietude of the inhabitants of this province, who are fixed therein, and have been instrumental in the settling, promoting and advancing the welfare and well-being thereof:

[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 no person non-resident, either on shore or on board any vessel (except such as come here with their families with an intent to settle) deal or trade with any Indians within this government upon any pretense whatsoever, upon the forfeiture of five pounds for every such offense, and the goods so