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CHAPTER 40.

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LAW RELATING TO FINES.

Chapter 40. *And be it &c:* That all fines Shall be moderate, Saving men's Contenements Merchandize or Wainage, Which is to say The Furniture of their Calling and means of Lively-hood.

Originally chapter 47, confirmed by chapter 63, 1683, and renumbered. Repealed by chapter 155, 1694. New law was enacted as chapter 92, 1693.

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CHAPTER 41.

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LAW ABOUT DEFALCATION.

Chapter 41. *And be it &c:* That For avoiding Numerous Suits, if 2 men dealing together be indebted to each other, upon Bonds, Bills, Bargains, or the Like, Provided they be of equal Clearness and truth, The Defendant shall in his Answer acknolledge the debt, which the Plaintiff demandeth, and default what the Plaintiff oweth to him, upon the Like Clearness.

Originally chapter 49, confirmed by chapter 63, 1683, and renumbered. Abrogated in 1693, but accepted in Petition of Right, June 1, 1693, as chapter 27.

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CHAPTER 42.

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LAW ABOUT ARRESTS.

Chapter 42. *And be it &c:* That in Case any man Arrest another, going out of the Province, hee shall be ready with his declaration & Evidence, the next day, & shall put in Security to pay the Charges & damages Sustained by the party arrested, if hee shall be found in the Wrong.