
 CHAPTER 40.

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 Repealed by chapter 155, 1694.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.

 CHAPTER 41.

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.

 CHAPTER 42.

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.

Originally chapter 50, confirmed by chapter 63, 1683, and renumbered. Abrogated in 1693, but accepted in Petition of Right, June 1, 1693, as part of chapter 28.

CHAPTER 43.

LAW ABOUT VERBAL CONTRACTS.

Chapter 43. *And be it &c:* That all Promises Bargains & Agreements about burying & Selling being made appear by Sufficient Evidence shall stand good & firm, And Such as Shall Violate the Same, hee or shee shall for every Such offence pay twice the value to the person wronged.

Originally chapter 51, confirmed by chapter 63, 1683, and renumbered. Chapter 191, 1690 included it among the laws to be continued to the end of the next General Assembly and twenty days after and no longer. Abrogated in 1693, but accepted in Petition of Right, June 1, 1693, as chapter 29.

CHAPTER 44.

LAW ABOUT DEEDS AND WRITTEN CONTRACTS.

Chapter 44. *And be it &c:* That to Prevent Frauds & Vexatious Suits within the Said Province and territories thereunto annexed All Charters, Gifts, Grants, & Conveyances of Land (except Leases for one year or under) And all Bills, Bonds & Specialities above 5 pounds, & not under 3 Months made in the said Province, Shall be Enrolled or Registred in the publick Enrollment Office of the said Province, within the Space of 2 Months next after the making thereof, Else Shall be void in Law.... And all Deeds, Grants & Conveyances of Land (except as aforesaid) within the said Province, & made out of the said Province Shall be Enrolled or Registred as aforesaid within .6. Months next after the making thereof and Settling and Constituting an Enrollment-office or Registry within ther Said Province, Else to be void in Law against all persons whatsoever. And in Case the deeds of Purchase in England made of Lands in this Province, Should be Lost by