

Silence is commanded in the Court while the Justices are Sitting, upon pain of imprisonment. After Silence is Commanded, the Cryer shall make a proclamation, Saying . . . All manner of persons that have anything to doe at this Court, draw nigh & give your attendance, and if any person shall have any Complaint to enter, or Suit to prosecute Let them draw near, & they shall be heard. When Silence is thus commanded & proclamation made, Upon calling the docket, the Cryer shall call A.B. plaintiff come forth and prosecute thy Suit against C.D. or else thou wilt be Non-Suited, The plaintiff appearing, the Cryer shall Call for the defendant C.D. come forth & Save thee and thy Bail, Or else Judgment will pass against thee.

Confirmed by chapter 154, 1684; chapter 175, 1685; chapter 186, 1688; and chapter 191, 1690. Abrogated in 1693.

CHAPTER 68.

LAW ABOUT A GRAND-INQUEST.

Chap: 68 Be it Enacted &c: That in every County within this Province & territories therof A Grand-Inquest shall give their attendance, and bring in their Presentments twice a year in every respective County-Court.

Repealed by chapter 155, 1684. Compare Vol. II St.L. 24, ch. XXVII.

CHAPTER 69.

LAW ABOUT SELECTING JURY-MEN.

Chap: 69 And that all possible Care & tendernes may be Showen about the Life of man, and to prevent Corruption . . .

Be it Enacted By the authoritie aforesaid, That in all Causes Capital & Criminal, the Free-men of the County shall be Summoned by the Sherrif, and the Names of the freemen shall be writ in Small peices of paper, & put into a hat and Shaken, 48 of which shall be drawn by a Child, & those so drawn, shall stand for the Sheriffs Returns, And the

first 12 not reasonably excepted against Shall Stand and Serve for the tryall, vid: Cap: 38:

Declared a fundamental law by chapter 141, 1683. Confirmed by chapter 154, 1684; chapter 175, 1685; chapter 186, 1688; and chapter 191, 1690. Abrogated in 1693. Compare chapter 146 of 1683, Vol. II St.L. 43, ch. XXXV, and Vol. II St.L. 43, ch. XCVIII.

CHAPTER 70.

LAW ABOUT TRESPASS ACTIONS.

Chap: 70 Be it Enacted by the Authority aforesaid & it is hereby Enacted, That all actions of debt Accompt or Slander, & all actions of Trespass shall from henceforth be first tryed by the respective County Court, where the Cause of action did aryse.

And if any person shall think himselfe agreived with the Judgment of the County Court, That then, Such person may Appeal to have the Same tryed before the Governor & Council, Provyded allways that the Same be above 12 pounds. And that the person appealing do put in good & sufficient Security to pay all Costs and damages, if hee shall be Cast, as also to pay the Cost & Charges of the first Suit.

Confirmed by chapter 154, 1684; chapter 175, 1685; and chapter 186, 1688. Repealed by chapter 192, 1690.

CHAPTER 71.

LAW ABOUT DEBT ACTIONS.

Chap: 71 Be it Enacted &c: That if any person shall pretend his debt or damage to be above 5 pounds, and upon hearing therof it shall appear to the Court to be under that Value, In all Such Cases, The plaintiff shall Lose his action, and pay the defendant the Costs . . . But the plaintiff shall have Liberty to withdraw his action & be Non-suited if hee see Caus, before the Jury have given in their Verdict yet so as he pay the full Cost and Charges to the defendant.