

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 Repealed by chapter 192, 1690.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.

Confirmed by chapter 154, 1684; chapter 175, 1685; and chapter 186, 1688. Chapter 191, 1690 included it among the laws to be continued until the end of the next General Assembly and twenty days after and no longer. Abrogated in 1693.

CHAPTER 72.

LAW ABOUT DEROGATORS OF JUDGMENTS OF COURTS.

Chap: 72 Be it Enacted &c. That if any person shall at any time hereafter Speak in derogation of the Sentence or Judgment of any Court hee of shee shall be fined for Such offence, att the discretion of that, or the next Court of Sessions.

Confirmed by chapter 154, 1684; chapter 175, 1685; and chapter 186, 1688. Chapter 191, 1690 included it among the laws to be continued until the end of the next General Assembly and twenty days after and no longer. Abrogated in 1693, but accepted in the Petition of Right, June 1, 1693, as chapter 40.

CHAPTER 73.

LAW ABOUT TRIAL OF INDIANS.

Chap: 73 Be it Enacted &c. That if any Indian shall Committ any trespass or damage, against the person or Estate of any of the inhabitants of this Province, or territories therof, Notice shall be given to the King of the Indians hee relates to that the offender be brought to his tryall, And shall be tryed by six of the free-men of the same County where the Abuse was Committed, and Six of the Indians that are Nearest to that place And if the Indians shall refuse to have him so tryed as aforesaid, That then the County-Court shall impose such fine or punishment upon the offender as they shall think fitt . . . And if any person in this Province or territories therof shall at any time hereafter Committ or do any dammage or Injury to any Indian, The mater shall be tryed by Six of the free-men of this Province, and six of the same Indians, And the king to whom Such Indians doth belong,