

Great Law, chapter 38. See Vol. II St.L. 128, ch. XCIII.

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CHAPTER 26.

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[26] THE LAWS ABOUT FEES, BRIBERY & EXTORTION.

Be it enacted by the Authority aforesaid That all Fees & Salaries in all Cases shall be moderate & Limited by the Governor & Assembly, & be hung upp on a Table in every respective Court, and whosoever shall be convicted of taking more shall pay twofold and be dismissed his Employment, one Moiety of which shall goe to the party wronged.

And that all persons convicted of Bribery and extortion, shall forfeit double the same.

Be it further enacted That all Fees by Law established in this Province & Territories, shall be paid in Money or value thereof in Country-growth or produce at Current price.

Whereas Complaint hath been made that the Fees due to Severall Officers according to Law, are unpaid & refused by divers to be paid, and that it is both unreasonable & impossible that men should wait upon & serve other persons occasioned in any capacity in the Government without just satisfaction, Be it further enacted, that in Case any Fees shall be unpaid the first day of the next tenth month after they are due, upon Complaint to the County Court, Execution shall be granted upon the Goods & Chattells of the persons oweing the fees aforesaid.

Great Law, chapter 39; chapter 123, 1683; chapter 150, 1683; chapter 92, 1693.

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CHAPTER 27.

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[27] THE LAW ABOUT DEFALCATION.

Be it enacted by the Authority aforesaid That for avoiding numerous Suits, if two 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 acknowledge the debt

which the plaintiff demandeth, & defaultk what the plaintiff oweth to him upon the like Clearness.

Great Law, chapter 41. See Vol. II St.L. 44, ch. XXXVIII.

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CHAPTER 28.

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[28] THE LAWS ABOUT ARRESTS AND MAKING DEBTORS PAY BY SERVITUDE.

Be it enacted by the Authority aforesaid, That in Case any man arrest another going out of the Province, he shall be readie with his Declaration & evidence the next day, and shall put in Security to pay the Charges & Damages sustained by the partie arrested, if he shall be found in the Wrong.

Be it further enacted, That all persons of known Estates refusing to pay their Just debts, if arrested & imprisoned shall be kept at their own Charges untill Security be given, or satisfaction made . . . Provided that no person shall be kept in prison for Debt or Fine longer than the second day of the next Sessions after his or her Commitment, unless the Plaintiff shall make it appear, that the person Imprisoned hath some Estate that he will not produce . . . In which case the Court shall Examine all persons suspected to be privie in the concealing such Estate . . . But if no Estate can be found, the Debtor shall satisfie the debt by servitude, as the County Court shall order, if desired by the Creditor.

Be it further enacted that no Inhabitants in this Province or Territories shall be taken for Debt before a tryall—unless he or she be about to depart out of the same, & shall refuse to give sufficient bail for appearance at the next Court, or Security for the payment of the Debt, or hath not Goods sufficient to be Attatched; And that in such Cases before any Warrant of Arrest be granted, the Plaintiff shall solemnly declare before those who are impowered to grant the same, that he or she believeth in his or her Conscience that his or her Cause or Action is Just, & his or her declaration & evidence are readie for Tryall, if the Defendant shall pray a Special Court . . . And that in Cases relating to other Inhabitants residing within the said Province & Territories . . .