

C H A P.
XIII.

before the twenty-fifth day of December in every year, to the treasurer of the western shore, for the use of this state; on all which sums, so to be received and paid, the said attorney-general, and his deputies respectively, shall be entitled to retain five *per centum* commission for their trouble on such receipts and payments, and shall also charge a fee on the issuing every execution as aforesaid, in the same manner as other fees are charged by attorneys in civil actions.

Clerks to de-
liver lists of
fines yearly,
&c.

IV. And be it enacted, That the clerk of the general court and of each county court, shall, on or before the fifteenth day of December yearly, make out and deliver unto the governor and the council for the time being, complete lists of all such forfeitures and fines as shall be incurred in their respective courts, under the penalty of two hundred pounds current money for every neglect or omission so to do; and the said attorney-general and his deputies, shall also make out and deliver unto the treasurer of the western shore, on or before the said fifteenth day of December yearly, complete lists of the said forfeitures and fines arising in the counties in which they shall respectively prosecute, under the like penalty. Provided, that nothing in this act contained shall extend, or be construed to extend, to prevent the several courts, as they might heretofore lawfully do, from committing any person or persons for the non-payment of any fine or fines imposed, if they shall deem it expedient so to do.

C H A P. XIV.

An ACT for quartering soldiers.

This act, as appears by the preamble only, was to continue only during the war. It authorized the governor to appoint quarter-masters in proper districts, who, on receiving convenient notice from the commander of any detachment in the service of the United States, or any of them, were to provide quarters. The line prescribed to these quarter-masters was first to endeavour to hire houses. If a sufficient number could not be so procured, they were directed to take empty houses. If the number of these were inadequate, the troops were then to be billeted on taverns according to their number, ability and convenience, and in case further quarters were wanted, billets were to be given on such persons as had not signed the association, or who should thereafter, by any legal authority, be adjudged enemies or disaffected. The last recourse was to be had to billeting on good citizens.

Where troops quartered did not receive rations, the owners of the houses were to furnish them, at certain rates, to be paid by the commanding officer, or expressed in a certificate, which might be discharged by either treasurer. Certificates were likewise to be given by the quarter-masters of the sums due for houses, to be ascertained either by agreement or by the valuation of a sworn appraiser, and discharged in the same manner. And the United States, or any of them, were to be charged with the expence incurred on their account.

Where there was no quarter-master, or where he neglected his duty, a justice might act in his room. A justice might also, on request of the owner, enter any house so hired or taken, and have the amount of any damage therein committed ascertained by an appraiser. If done by a private, he was to inform the commanding officer, but if done by, or with the connivance of, an officer, his name was to be notified to the commanding officer and to the commander in chief.

Any person authorized to execute this act, for billeting wives, children or servants, without consent of the owner, or for refusing, for the space of two hours, to provide quarters after due requisition and notice, or for taking, demanding or contracting, for a reward, to excuse any person from receiving troops, was to forfeit not more than £. 5, nor less than 40s, to be recovered and levied under warrant either on the person or goods, one half for the county, the other for the informer. The same penalty was incurred by refusing to take or provide for a soldier.

C H A P. XV.

An ACT to open the courts of justice, and for other purposes.

Preamble.

WHEREAS at a convention begun and held at the city of Annapolis, on the twenty-sixth day of July, seventeen hundred and seventy-five, and continued till the fourteenth day of August in the same year, it was declared and resolved, That in all suits and actions then depending or commenced within this province, where there was no real dispute, the suitors and attorneys should proceed, with all convenient speed, to settle the same by judgment, reference, or other amicable way; and that in all suits and actions then depending or commenced (where there were real disputes, and which could not be settled in an amicable manner, or tried with justice to the parties) ought to stand and remain, during these times of public calamity, in their then present state and condition, or be continued until otherwise ordered by act of assembly, or some future convention; save and except only that bail might surrender their principals in their own discharge, and for want of other bail, that the principal might be committed; and that thereafter proper provision ought to be made, by act of assembly, for reinstating, re-establishing and prosecuting the business of the courts, and for barring the