

Of Actions,
 &c. now de-
 pending in the
 Provincial
 Court; and of
 the Time li-
 mited for fi-
 ling Declara-
 tions.

on the Country, is pleaded, the Issue shall be made up and compleated by the tenth Day of *August* next; and that all Declarations in Actions, to be commen- ced in the Provincial Court, shall be filed with the Clerk within thirty Days af- ter every Appearance Court; and the Issue made up, where the general Issue, or other general Plea tending to an Issue on the Country, shall be pleaded, shall be made up within thirty Days after the filing the Declaration. But where special Pleadings are necessary, the Court, upon Motion, may grant such Time as may be thought reasonable; and that the Plaintiff, in every Cause to be tried before the said Justices, shall give the Defendant or his Attorney Notice fourteen Days before the first Tuesdays in *September* and *April*, yearly, of his Intention to in- sist on a Tryal; and that if, after such Notice given, the Causes shall be delayed until another Assizes, the Party causing such Delay shall pay all the Cost and Charge that shall be occasioned thereby.

Sheriffs to
 summon Ju-
 ries.

And be it Enacted, That the several Sheriffs shall summons fifty of the most capable and substantial Freeholders within their Bailiwicks, ten Days before the Assizes shall begin in the respective Counties, as Grand and Petit Jurors; and that every Freeholder that shall be so summoned, and shall neglect or refuse to appear, shall incur the same Penalties and Forfeitures as Jurors summoned to the Provincial Court are liable to, rating Tobacco at ten Shillings *per* Hundred; and that no Person that is not incapable or disqualified by Law to serve as a Ju- ror, shall have any Exemption, except Counsellors, Delegates, Provincial Justi- ces, Clergymen, and practising Physicians or Chyrurgeons: Nor shall Grand Ju- rors be exempt from serving as Petit Jurors in Civil Cases, at the same Assizes of Oyer and Terminer and Goal-Delivery they are returned to serve in. And that every Grand Jury shall have an Allowance not exceeding five hundred Pounds of Tobacco, for every Assize; and every Petit Juror twenty Pounds of Tobacco for every Day's Attendance; to be assessed in the County Levy as usu- al, besides the full Fees for Verdicts in Civil Cases.

Allowance to
 Jurors.

Grand Jurors
 to be chosen
 by Ballot: As
 also

And, to prevent Partiality by Grand Jurors, *Be it Enacted*, That the Name of every Person summoned as a Juror shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be deli- vered to the Clerk of Assize, or such other Person as the said Justices shall ap- point, and by the care of the Clerk, or such Person as shall be appointed as a- foresaid, all rolled up as near as may be in the same Manner, and put into a Glafs or Box to be provided for that Purpose; and that the said Justices in open Court shall direct to be drawn, by some indifferent Person, out of the said Glafs or Box, a sufficient Number for a Grand Jury; and that such Persons as shall be drawn, and then appear, shall be Grand Jurymen, and none others. *Provided*, That in case any the County Magistrates, or their Clerk, should be drawn, they shall not be of the Grand Jury; but that others shall be drawn in the place of a- ny Magistrate or County Clerk that should happen to be drawn.

Petit Jurors.

And, to prevent Partiality in Tryals by Jurors, *Be it Enacted*, That the Name of each and every Person, who shall be summoned and impannelled as a Petit Juror, shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be delivered to the Clerk of Assize, or such other Person as the said Justices shall appoint, and by the care of the Clerk, or such Person as shall be appointed as aforesaid, be all rolled up as near as may be in the same manner, and put into a Glafs or Box to be provided for that Purpose; and when any Cause shall be brought to be tried, some indiffe- rent Person, by Direction of the Court, may and shall in open Court draw out twelve of the said Papers one after another; and if any of the Persons whose Names shall be so drawn shall not appear, or be challenged and set aside, then such further Number, until the twelve Persons shall be drawn who shall appear, and after all causes of Challenge, shall be allowed as fair and indifferent; and the said twelve Persons so first drawn and appearing, and approved as indifferent, their Names being marked in the Pannel, and they being sworn, shall be the Ju- ry to try the same Cause: And the Names of the Persons so named and drawn, and sworn, shall be kept in some other Box or Glafs to be kept for that Purpose, 'til such Jury shall have given in their Verdict, and the same is recorded; or un-