

Then read the Act for Enrollment of Conveyances &c. as to the fees therein Limited this Board Except against the same, as also against the Termination thereof in three years Whereas all Laws that may be thought Convenient (unless such as are for a Temporary End & design) ought to be indefinite, especially this Act of so great moment as the Establishment and Confirmation of Our Inheritances. U. H. J.

Read the Act for making high ways &c. wherein it is conceived that it ought to be left to the discretion of the Justices of the County Courts, what roads and in what manner they shall think such reparations shall be made as the said Act requires, and then the same also to be indefinite.

The Act for Limitation of certain Actions read here the second time.

The Act for taking away all Errors in proceedings read the 3^d time

By his Excellency the Governor and Council in Assembly.

20th May 1692.

The severall Bills herewith sent Viz^t the Act of Recognition &c. The Act for Limitation of certain Actions &c. The Act for the preservation of the Several Harbours &c. The Act for Enrollment of Conveyances &c. The Act for marking high ways &c. The Act for taking away Errors &c. have been read and Considered by the Board; whose Opinion they think fit to Signifie to the house as follows Viz^t As to the Act of Recognition they Conceive it Necessary that the preamble thereof were better Excluded & the Recognizing part only taken notice of according to the Precedents and Examples of England and Our Neighbouring Collonies, that the same may appear to proceed freely from Us without any Sinister End or Condition of Covenant Inducing thereunto.

The Act against Hogstealers particularises no Penalties to be inflicted upon the Offenders for breach thereof, but refers to former Acts, which seems to this Board to be altogether insignificant, all the Laws in Generall of this Province formerly made Being now Abolished and of no force, also for the better and more Easy discovery of Criminalls in that and all other matters of like Import Viz^t in all Cases of petty Larcenys and stealings of Provisions or other Goods; it were Convenient that the Onus Probandi lye upon the Party charged, and in whose Custody the same may be found; that in Case he or she cannot Sufficiently make appear and prove when and where and how they came by the same; It shall be a Sufficient Conviction of the Crime, and the Punishment p. 622