

Session
Laws And to the End, that the Sheriffs may be obliged to discharge their Duty in returning the best and most capable Freeholders to be Jurymen, Be it Enacted, That every Sheriff who shall neglect to return the best and most capable Freeholders for Grand and Petit Jurymen, shall, for every such Neglect, be fined by the Justices of Assize, at their Discretion, not exceeding Five Thousand Pounds of Tobacco. to be applied to defray the County Charge.

And be it Enacted, That each Justice of Assize shall be allowed, by the Publick, Five Thousand Pounds of Tobacco, to be paid in the Counties respectively where they reside, for every Circuit, and no more.

And be it Enacted, That it shall and may be lawful for the said Justices to make all such Rules and Orders as may be convenient and necessary for the Furtherance of Justice and Right, and to impose reasonable Fines, Forfeitures, and Penalties, upon such as shall transgress them.

Provided always, That such Rules and Orders shall be agreeable to the Laws of England, and this Province; and that all Sheriffs, Bailiffs, and other Officers and Persons whatsoever, shall yield due Obedience to all Process, Warrants, and Precepts, that shall be issued by, or returnable to, the said Justices.

And be it Enacted, by the Authority, Advice, and Consent aforesaid, That the Justices of Assize, Nisi Prius, and Gaol Delivery, shall, in all Criminal and Civil Cases to be tried before them, where any Person concern'd shall desire the same, allow and direct Special Verdicts to be found: And in all Criminal Cases, where the Party accused shall desire the same, to sign and allow Bills of Exception, as they are allowed in Civil Action: And that in all Cases where Special Verdicts are found, and Bills of Exception allowed, that no Judgment shall be rendered until the next Provincial Court; to the Consideration of which Court it is to be referred; any Law, Usage, or Custom, to the contrary, notwithstanding.

p. 11 And be it likewise Enacted, That where any General Verdict shall be found in any Criminal Case, against any Person before the said Justices, wherein the Judgment is not certainly known and settled by Law, or wherein the said Justices, or either of them, shall be in any Doubt, or under any Difficulty, what Judgment to give upon such Verdict, that then, and in such Case, no Judgment shall be given; but that the Judgment shall be referred to be given on such Verdict, to the Consideration of the Provincial Court, who shall and may give Judgment therein; any Law, Usage, or Custom, to the contrary, notwithstanding.

And to the End, that the Justices of Assize Nisi Prius, Oyer and Terminer, and Gaol Delivery, may not be hindered from proceeding in the Decision of Matters not determinable elsewhere, (which the