

Session Laws examine such Witness, shall be received as Evidence on the Tryal of the Cause wherein such Witness shall be summoned, as if the Witness was present, and should deliver his or their Testimony *viva voce*; any Law, Usage, or Custom, to the contrary notwithstanding. *Provided always*, That if any such Witness shall wilfully and corruptly swear or affirm falsely, that then, and in every such Case, he or she shall be liable to the same Prosecution, Penalty, and Forfeiture, as Persons guilty of, or committing corrupt and wilful Perjury are liable to.

Time of Provincial Courts. *And be it further Enacted*, That the Provincial Court shall be held, during the Continuance of this Act, on the Third Tuesdays in *October* and *May*, Yearly, at the City of *Annapolis*.

Part of an Act repealed. *And be it Enacted by the Authority, Advice, and Consent, aforesaid*, That that Part of an Act of Assembly Entituled, *An Act causing Grand and Petit Jurors to come to the Provincial and County Courts, and ascertaining their Allowances*, made at a Session of Assembly begun and held at the City of *Annapolis*, the Twenty-sixth Day of *April, Anno Domini*, Seventeen Hundred and Fifteen, which relates to summoning Grand and Petit Jurors to attend at the Provincial Courts, be, and is hereby repealed and made void.

Duty of the Secretary in Regard to Records. *And be it further Enacted by the Authority, Advice, and Consent aforesaid*, That the Secretary for the Time being shall cause every Record that shall be ordered by any Attorney of the Provincial Court, to be made out for any Tryal of any Issues at the Assizes, to be transmitted to the Clerk of Assize of the Circuit where the Issue is to be tried, (who is by this Act obliged to receive and carry the same to the Circuit) before the Assizes for that Shore, where the Issue is to be tried, begins, under the Penalty of paying unto the Party that suffers, for Want of the Record being transmitted, such Costs and Damages as shall be by the Justices of his Lordship's Provincial Court, judicially sitting, ordered and adjudged; which said Justices are hereby, upon Complaint made to them, required after a summary manner, to proceed to Judgment thereon.

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Proviso. *Provided always*, That the Secretary shall not be obliged to answer any Damages or Cost, to any Person by virtue of this Act, unless Orders in Writing for transmitting the Record as aforesaid, be left with the Clerk of the Provincial Court, at least Thirty Days before the Beginning of the Assizes on the Shore where the Issue is to be Tried.

Allowance to Judges, &c. may be paid in Money. *Provided also*, That the Records being lodged with the Clerk of Assize, after the manner aforesaid, shall not impower the Judges to compel a Tryal against the Will of the Plaintiff, unless where the Record is taken out at the Request of the Defendant in order for Tryal by Provisoe.

Provided always, That the several Allowances herein before mentioned to be made, to the Judges and Jurors, in Tobacco, shall and