

C H A P. XIV.

the Governor and Council, to the very great Trouble of the Persons concern- ed, and the Public Charge: Which to prevent, and to give a speedy Redress in all such Matters;

Any single Magistrate may determine Differences between the English and Indians, not exceeding 20 Shillings Sterling.

II. *Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and by the Authority of the same,* That from and after the End of this present Session of Assembly, any Justice of the Provincial or County Courts within this Province, be, and are hereby authorized and im- powered, to hear and determine all Manner of Controversies and Differences whatsoever, that shall or may hereafter happen or grow between the English and Indians, in private and personal Controversies, not exceeding the Value of Twenty Shillings Sterling.

How to proceed where any Party refuses to submit.

III. *And be it further Enacted, by the Authority aforesaid,* That any of the Justices aforesaid, be, and are hereby authorized and empowered, upon hear- ing and determining any such Difference or Controversy as aforesaid, and Judgment thereupon given, either Party refusing to perform the same, then and in every such Case, the Justice so empowered as aforesaid, shall by Way of Distress take into his Custody any of the Goods and Chattels of the Offender, and out of the same make full Satisfaction to the Party wronged, at the Dis- cretion of the said Justice, and the Overplus to return to the Owner thereof.

Examined and Compared with the Original Act, REVERDY GHISELIN, THOMAS BACON.

C H A P. XV.

Passed 8th June 1717.

An ACT for the Publication of Marriages, and to prevent unlaw- ful Marriages. Lib. LL. N^o 4. fol. 380.

The Banns of Marriage to be published in the Parish where the Woman re- sides.

BE it Enacted, *by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That all Per- sons who desire Marriage, shall apply themselves to a Minister for the con- tracting thereof, and shall cause due Publication to be made, according to the Rubrick of the Church of England, of their Intent to marry, at some Church or Chapel of Ease belonging to the Parish wherein the Woman, so intended to be married, shall be resident: And in case there be no Minister, Curate or Reader in such Parish, an Advertisement or public Notification of such in- tended Marriage, shall be set up at the Court-house Door of the County where such Marriage shall be intended, there to remain for the Space of Three Weeks at the least, of which Advertisement put up as aforesaid, the Clerk of the County Court, where such Advertisement shall be so put up, shall make a Certificate under his Hand, and the Seal of the County; and that it shall and may be lawful after such Publication, and Certificate thereof had, for a- ny Minister, duly qualified, to join together in Matrimony, any such Persons so Published, according to the Liturgy of the Church of England; saving to the Minister of the respective Parishes, where such Publication shall be made, their just Dues for such Marriages.

How Publi- cation may be made where there is no Minister or Reader.

Penalty on Persons mar- rying without Publication, &c. or Li- cence from the Gover- nor, and on the Minister.

II. *And if any Person shall presume to contract Marriage, without such Publication, and Certificate thereof had as aforesaid, or without particular Licence from the Governor, for the Time being, do privately contract Mar- riage, every Man so contracted or married, shall be liable to a Fine of Five Thousand Pounds of Tobacco; and every such Minister joining in Marriage any Persons without Publication or Licence, or any ways infringing this Act, shall be liable to a Fine of Five Thousand Pounds of Tobacco; one Half of the said Fines to the Lord Proprietary, his Heirs and Successors, for the Support of Government of this Province, the other Half to the Informer; to be recovered in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection, or Wager of Law to be allowed.*

III. *And*