

C H A P. XVI. which shall be allowed in the Public Levy of this Province, and paid in the respective Counties where they reside.

Itinerant Charges at 48 lb. Tobacco per Day to be allowed every Grand and Petit Juror attending the Provincial Court.

V. And be it further Enacted, That it shall and may be lawful for the Justices of the said Provincial Court, to allow to every Grand and Petit Juror, who shall be Summoned and Attend the said Court, over and above the Allowances aforesaid, for so many Days itinerant Charges as the said Justices shall think reasonable, at the Rate of Forty-eight Pounds of Tobacco per Day, to be allowed and paid in the same Manner as the other Allowances herein mentioned are directed to be allowed and paid.

No more Charge to be allowed in the Bill of Costs than of Three Witnesses, to the Proof of any particular Fact, &c.

VI. And whereas it has been a frequent Practice among Parties to Suits, to summon several Witnesses to the Proof of one and the same Matter of Fact in a Cause, and many others who really know nothing of the Fact, only to enhance the Costs, to the great Burthen and Oppression of the Party, who, by the Judgment of the Court in such Cause, is awarded to pay the Costs of such Suit; For Prevention whereof for the future; Be it Enacted, That in any Action or Actions to be commenced after the End of this Session of Assembly, there shall not be allowed the Charge of more than Three Witnesses to the Proof of any one particular Matter of Fact, or of any other Witness or Witnesses who shall appear to the Court to have been unnecessarily summoned.

Witnesses residing in other Counties, shall be allowed itinerant Charges at the Rate of 24 lb. Tobacco per Day in the County Court;

All which may be discharged in Money at 12/6 per Cent.

VII. And be it further Enacted, That where any Person shall be summoned to attend as a Witness, to testify at any County Court within this Province, and who shall at the same Time reside in a different County than that where such Court shall be held, to which he or she shall be summoned to attend to give his or her Evidence, that it shall and may be lawful in such Case, for the Justices of the same Court, to allow to such Witness for so many Days itinerant Charges as the said Justices shall think reasonable, at the Rate of Twenty-four Pounds of Tobacco per Day, over and besides the Time that such Witness shall attend such Court to which he or she shall be summoned to give Evidence. Provided always, and be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants and Suitors to Pay and Discharge the said several and respective Quantities of Tobacco in Current Money, at the Rate of Twelve Shillings and Six-pence *per Centum*, in the same Manner as they are enabled to pay and discharge the Public and County Levy.

Duration.

VIII. This Act to continue for Three Years, and to the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

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

Farther continued for 3 Years, &c. by 1763, ch. 5.