

November session, seventeen hundred and ninety, be and the same is hereby continued, and shall be in force during the continuance of this act.

C H A P.  
XLIII.

V. And be it enacted, That the county courts in each district shall be composed of the chief justice of the district in which each county shall be, and of two associate justices appointed for such counties respectively; and that the said county court, or the chief justice alone, or the two associate justices, shall have, possess and execute, the same power, jurisdiction and duties, now vested in or required of the county-courts of this state, except in the cases hereafter excepted, and an appeal or writ of error shall lie to the general court, in the same manner, and under the same regulations, as is now or shall hereafter be allowed by law from the county courts to the general court; and any one of the said associate justices may hold and adjourn the said court, and impanel and charge the grand jury, and direct process to issue on any presentment or indictment found in the said court, or on any petition or complaint exhibited to the said court, and he may direct *subpoenas* to issue for witnesses to attend the said court, or attachments of contempt to issue against witnesses or jurors for non-attendance, and he may direct any witness to be sworn to the grand jury, and receive any presentment or indictment from the grand jury, and take recognizances for the appearance of witnesses, or any person presented or indicted, and he may commit any person presented or indicted for want of security, and he may direct judgments to be entered on confession, or *non sum informatus*, and on default or amercements of any sheriff or coroner, and may direct commitments to be entered against persons brought in on executions, and may take special bail in any cause existing, or that may exist, in the court of which he is associate, and may also, in court sitting, accept the surrender by the principal of himself in discharge of his bail, and by the bail of the principal in discharge of himself, and take new bail, or commit for want of bail, and take recognizances for the appearance and security of any person or persons who have filed or may file petitions for freedom.

Of whom the county courts are to be composed, &c.

to 1795  
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VI. And be it enacted, That all acknowledgments of deeds hereafter made for the conveyance of land before any chief justice of a district, within his district, or any associate justice, within his county, shall be as good and valid in law as if the same was made before any judge of the general court, or before two justices of the peace, any law, usage or custom, to the contrary notwithstanding.

Acknowledgments good and valid, &c.

VII. And be it enacted, That the said courts shall have power, in the trial of actions at law, on motion made at the first court after the appearance court, supported by affidavit, that the same is not intended for delay, and due notice thereof being given, to require the parties to produce copies, certified by a justice of the peace, of all such parts of all books or writings in their possession or power as contain evidence pertinent to the issue, or to answer any bill for discovery only which may be filed by the second court after the appearance court; in cases and under circumstances where they might be compelled to produce the said original books or writing, or answer such bill of discovery by the ordinary rules of proceeding in chancery; and if a plaintiff shall fail to comply with any such order to produce such books or writings, or answer such bill of discovery, it shall be lawful for the said courts, on motion, to give the like judgment for the defendant as in cases of nonsuit; and if a defendant shall fail to comply with such order to produce books or writings, or to answer any bill for discovery only, it shall be lawful for the said courts, on motion as aforesaid, to give judgment against him, her or them, by default; provided, that any plaintiff or defendant may, in compliance with any rule for producing extracts of such books or papers, bring into court the original books or papers.

Courts to require copies, &c.

VIII. And be it enacted, That neither the chief justice of any district, or any of the associate justices, shall, after their appointment and qualification, act as an attorney or solicitor in any court of law or equity in this state during the time that they shall respectively act as such.

Justice not to act as an attorney, &c.