

General  
issue  
pleadable.

SEC. 3. *And be it further enacted, as aforesaid,* That it shall and may be lawful for the defendant or defendants in such suits to give this act and the special matter in evidence, without specially pleading the same, any law, statute, usage or custom to the contrary notwithstanding.

---

CHAPTER 25.

AN ACT declaring the punishment for Burning of Court Houses.  
Merged in 1809, ch. 138, sec. 8.

---

JULY, 1721.—CHAPTER 14.

AN ACT to limit the continuance of Actions in several courts within this province, and ascertaining the manner of taking the evidence of sea-faring men, and for granting appeals from the chancery court to the governor and council.

Preamble.

WHEREAS it is represented as an grievance, the dilatory proceedings and continuances of actions, in several of the courts of this province; for remedy whereof for the future,

Actions  
may be  
continued,  
&c.

SEC. 2. *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 actions now depending in any of the courts of law within this province, as well as all other actions to be commenced, may be continued to the end of the fourth court, after the appearance court, in any of the courts aforesaid, and no longer, (except in causes where evidences are wanted from beyond sea,) which is left to the discretion of the court where such case shall happen; and that it shall and may be lawful for the several courts afore-mentioned, upon the discontinuance of any action or actions aforesaid, (if by the act or default of the plaintiff,) to award him to pay the costs, but if by the act or default of the defendant, then to give judgment for the plaintiff, and if through the default of any attorneys neglecting their duty in bringing causes to a decision within the time limited by this act, in all and every such case, every attorney so neglecting his duty to the prejudice of his or their client, shall, for every such neglect in the provincial court, forfeit the sum of five thousand pounds of tobacco, and for every neglect in the county court, the sum of two thousand pounds of tobacco, and all costs of suit accrued on any action discontinued by default of such attorney, one-half of the aforesaid fines to the party grieved, the other half to his lordship the lord proprietary, to be appropriated to and for the use and benefit of a public or free school of the county where such fines arise, to be recovered (in his lordship's name) in any of the courts of record within this province, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to