

or to him or them that shall sue for the same, the other half to the use of free schools in the county where the offence is committed; all which fines aforesaid, to be recovered in his lordship's name, in any court of record within this province, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law shall be allowed.

Prosecutor's duty.

SEC. 4. *And be it further enacted*, That in all prosecutions against any of the offenders aforesaid, the attorney-general, or clerk of indictments, in their indictments or other proceedings, shall be as particular as possible in describing the place upon or to whose lands the boundaries relate, which have been made, so set up or destroyed, contrary to the true intent of this act.

#### CHAPTER 10.

A FURTHER supplementary act to the Act for the better administration of justice in testamentary affairs, granting administrations, recovery of legacies, securing filial portions, and distribution of intestates' estates. Superseded by 1798, ch. 101, and the supplements thereto.

#### CHAPTER 12.

AN Act for regulating amerciaments in the provincial and county courts, and directing the application of them, and for repealing part of an act, entitled, An act for the better administration of justice in the high court of appeals, chancery, provincial and county courts of this province, for the more speedy recovery of debts, easy obtaining of executions against persons absenting from the counties where the judgments were recovered against them, for preventing commissioners, sheriffs, sub-sheriffs and deputy-clerks, to plead as attorneys in the respective courts to which they belong, and for amerciaments in the provincial and county courts.

SEC. 1, 2. Repealed by 1825, ch. 195, sec. 2.

SEC. 3. Repeals an act, which does not appear in Kilty's compilation.

Penalty on attorneys for neglect, &c.

SEC. 4. *And be it further enacted*, That it shall and may be lawful to and for the several and respective justices of the county courts within this province, at their discretion, where it shall appear to them that any plaintiff or defendant, in any action hereafter to be brought in any of the said courts, shall suffer by the negligence or omission of the attorney or attorneys, to immediately adjudge such attorney or attorneys to pay the lawful costs accruing from such plaintiff or defendant through such negligence or omission, not exceeding four hundred pounds of tobacco, but if the cost shall surmount that sum, then in every such case the plaintiff or defendant shall be left to their remedy at common law; and that every attorney practising in any county court whereof he is not an inhabitant, shall be under the same circumstances as to any recovery to be had against him, as though he was actually an inhabitant of that county.