

CHAP. 20. An act for the better discovery of judgments in the courts of king's bench, common pleas, and exchequer, at Westminster. (Part.)

See the note on 29 Charles 2, Ch. 3, S. 13. The 2d section of this statute could not literally have applied to the province; but the 3d, declaring that judgments not doggetted should not affect purchasers or mortgagees, or have any preference against heirs, executors or administrators, is considered to have been in force and to remain so. It will be seen by the act of 1748, that the county clerks were empowered to remove certain books, &c. from their offices; but by September 1770, Ch. 10, they were directed to bring with them, on every office day, the four last court dockets, &c. As to the effect of such judgments against executors and administrators, it is to be observed, that the law was materially changed by the act of 1802, Ch. 101, S. 8, directing that they should not be bound to take notice of judgments against the deceased.



6 *William and Mary*.—A. D. 1694.

CHAP. 4. An act exempting apothecaries from serving the office of constable, scavenger, and other parish and ward offices, and from serving upon juries.

See the note on 5 Hen. 8, Ch. 6.



7 *William 3*.—A. D. 1695.

CHAP. 3. An act for regulating of trials in cases of treason and misprision of treason.

See the note on 25 Edw. 3. There were not many cases of trials for treason in the province, but there can be no doubt of this statute having been considered in force, as well as that of Edw. 3. In 1706, on an indictment against —, for feloniously and traitorously receiving, &c. R. C. outlawed by act of assembly, when brought up to be tried, the record states: "Having before that time had a copy of the indictment, and a copy of a panel of jurors delivered him according to the form of the statute."

In 1707, I. H. was indicted for holding a treasonable correspondence with the same R. C. He declared that he was ready—that he wanted no process for witnesses, &c.—that he released all advantage for want of, or declared that he had a copy of the indictment and panel, and forewent any advantage for the trial before due time fixed by the statute 7 king William, for regulating trials in high treason, and on misprision of treason. Without repeating the reasons given in the note referred to, it appears proper that this statute should be incorporated, &c. notwithstanding the provisions in the 19th article of the declaration of rights.



8 and 9 *William 3*.—A. D. 1697.

CHAP. 11. An act for the better preventing frivolous and vexatious suits. (Part.)

By the 1st section of this statute, where several persons are made defendants in actions of trespass, assault, false imprisonment or ejection, and any one or more shall be acquitted, he or they shall reco-