

or granted by Virtue of any Statute, and not generally to any Person that will sue, but that every such certain Person, Body Politick or Corporate, which might sue or inform, as if this Act were not made, may in such Case sue, inform and pursue, as he or they might have done, if this Act were never had nor made.

VII. And provided also, That neither this Act, nor any Thing therein contained, shall in any wise extend to any such Officers of Record, as have in respect of their Offices heretofore lawfully used to exhibit Informations, or sue upon penal Laws; (2) nor to any Officers informing or pursuing for Matters only concerning his or their Offices; (3) but that they and every of them may inform and pursue in that Behalf, as they might have done before the Making of this Act; any Thing in this Act contained to the contrary in any wise notwithstanding.

VIII. This Act to take Force and Effect from the Feast of *Easter* next coming, and from thenceforth to endure unto the End of the first Session of the next Parliament. *Made perpetual by 27 Eliz. c. 1. 31 Eliz. c. 5.*

I. The Duty of an Informer in prosecuting a Suit upon a penal Statute, and his Punishment if he abuse it, Cro. El. 77, 434. 3 Inst. 192. A Note of the Day, Month, and Year of the Exhibiting of an Information. Indorsement of the Process awarded upon an Information.

II. Where the Trial of an Issue shall be in a Suit upon a penal Statute. Stiles, 381.

III. No informer shall compound with the Defendant, but by Consent of the Court. 2 Bulstr. 137. Hob. 250. 2 Roll. 103, 136. The Penalty of an Informer delaying or discontinuing his Suit, or being Nonsuit, &c. 2 Leon. 116. Savill, 50.

IV. The Punishment of an Informer misbehaving himself in the Prosecution of his suit, &c. What Justices may hear and determine these Offences.

V. Pursuing upon the Statute against Maintenance, Champerty, &c.

VI. Penalties given to Persons certain, and not generally.

VII. Officers using to exhibit Informations.

"There is reason to believe that some parts of this statute were considered applicable to the circumstances of the people of the province, although the whole might not have been so. By recurring to the acts of assembly, it will appear that as early as 1704, fines were imposed, one half to the government, and the other half to him or them that should inform or sue for the same, to be recovered by action of debt, bill plaint or information, most of which acts are still in force.