

C H A P. VIII. a draught for the residue; any two persons, entitled each to half a pew, to join in a chance. The person who draws a pew, is to have a complete right, an entry thereof being made in the register book, which entry is to be made on his paying the cost of erecting it, together with his subscription; but if he refuse or fail to pay, his pew is to be exposed to public sale, and an entry of the sale is to be made in the register book in order to give the purchaser a title. The register's fee is to be a shilling.

After giving public notice to the freeholders, having each at least 50 acres of land, to come in, and notify their desire of having pews, the vestry are to cause the pews and seats in the parish church to be ballotted for, in the manner and upon the terms before mentioned; but if the purchase money be not paid on demand, a new ballot shall take place among those freeholders who shall have drawn blanks; or if all the freeholders shall have been accommodated, the pews not paid for, with the surplus pews, are, at the next meeting of the vestry, to be sold at auction. And if there shall be any surplus money, the vestry shall dispose of it, at discretion, to the use of the church. In case of the death of any trustee appointed by this act, the owners of lots inhabiting the town shall elect a trustee in his room.

## C H A P. IX.

An ACT to empower the justices of Somerset and Worcester counties, to levy on the taxable inhabitants of Stepney parish, in Somerset and Worcester counties, the quantity of one hundred and sixty thousand pounds of tobacco, for the uses therein mentioned.

This act enables the vestrymen and wardens to purchase two acres of land on the south side of Wicomico, above the branch whereon is the mill of William Venables, and to contract for building thereon a chapel of ease; and to purchase two acres of land near Spring-hill, and to contract for erecting thereon another chapel of ease.

The quantity of 100,000lb. of tobacco is to be assessed in the years 1768 and 1769, for building the first chapel; and 60,000lb. is to be assessed in 1770 and 1771, for building the chapel at Spring-hill.

## C H A P. X.

An ACT for the recovery of certain americiaments, and also upon defaults on executions.

Sheriffs, &c. being called upon by the court to bring in defendants, before arrested, and shall omit or fail to do, the justices may order judgment to be entered for the plaintiff, against such sheriff, &c.

**B**E it therefore 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 in case any sheriff or coroner shall be called upon, by the order of the justices of the provincial, or of any county court, to bring before them any defendant or defendants, before arrested by such sheriff or coroner, according to the said sheriff's or coroner's return of, or upon any writ, being either mesne process, or of execution, and shall fail, neglect or omit, to bring into court such defendant or defendants, and therefore shall be amerced by the justices aforesaid, or have his default entered, then, and in either such case, it shall and may be lawful for the justices aforesaid, in the name of the plaintiff or plaintiffs, and to and for his, her or their use, on motion, to order and direct judgment to be entered up against such sheriff or coroner, for the sum in which the said sheriff or coroner shall be amerced, or for the sum and costs recovered against the person or persons taken on execution, which respective judgments shall have the force and effect, to all intents and purposes, of any judgment rendered on the verdict of a jury.

Proviso.

II. **Provided** always, That before the said judgments shall become absolute, for the said sum in which the aforesaid sheriff or coroner shall be amerced, or for the sum and costs recovered against the person or persons taken on execution, against the said sheriff or coroner, the plaintiff or plaintiffs, his, her or their executors or administrators, shall make appear, to the satisfaction of the justices aforesaid, a demand by him, her or them, or his, her or their attorney at law, made of or from the sheriff or coroner aforesaid, of the sum in which such sheriff or coroner shall be amerced, or of the sum and costs recovered against the person or persons taken on execution as aforesaid, and also the refusal or neglect of the sheriff or coroner to pay the same respective sums, according to such demand; and also, that the plaintiff or plaintiffs, his, her or their executors or administrators, or his, her or their attorney at law, in the case of such americiament, as aforesaid, upon the return of any writ, being mesne process, offered or tendered to the said sheriff or coroner, an assignment of the cause of action, when the same cause of action shall arise on contract, whereupon the original writ issued.

Sheriff, &c. amerced, who

III. **And** be it enacted, by the authority aforesaid, That it shall and may be lawful for the sheriff or coroner who shall be amerced as aforesaid, and unto whom any