

entered on the journals of each house. The judge against whom the legislature may be about to proceed, shall receive notice thereof, accompanied with the causes alleged for his removal, at least five days before the day on which either house of the general assembly shall act thereupon.]

§ 15. [The general assembly may by law give to any inferior courts by them to be established, or to one or more justices of the peace, jurisdiction of the criminal matters following, that is to say: assaults and batteries, keeping without license a public house of entertainment, tavern, inn, ale-house, ordinary or victualling house, retailing or selling without license, wine, rum, brandy, gin, whiskey, or spirituous or mixed liquors contrary to law, disturbing camp-meetings held for the purpose of religious worship, disturbing other meetings for the purpose of religious worship, nuisances, horse-racing, cock-fighting, and shooting matches, larcenies committed by negroes or mulattoes, and the offence of knowingly buying, receiving, or concealing by negroes or mulattoes, of stolen goods and things the subject of larceny, and of any negro or mulatto being accessory to any larceny. The general assembly may by law regulate this jurisdiction, and provide that the proceedings shall be with or without indictment by grand jury, or trial by petit jury, and may grant or deny the privilege of appeal to the court of general sessions of the peace: the matters within this section shall be and the same hereby are excepted and excluded from the provision of the constitution, that—"No person shall for an indictable offence be proceeded against criminally by information,"—and also from the provision of the constitution concerning trial by jury.

§ 16. In civil causes when pending, the [superior] court shall have the power, before judgment, of directing upon such terms as they shall deem reasonable, amendments in pleadings and legal proceedings, so that by error in any of them, the determination of causes, according to their real merits, shall not be hindered; and also of directing the examination of witnesses that are aged, very infirm, or going out of the state, upon interrogatories *de benne esse*, to be read in evidence, in case of the death or departure of the witnesses before the trial, or inability by reason of age, sickness, bodily infirmity, or imprisonment, then to attend; and also the power of obtaining evidence from places not within this state.

§ 17. At any time pending an action for debt or damages, the defendant may bring into court a sum of money for discharging the same, and the costs then accrued, and the plaintiff not accepting thereof, it shall be delivered for his use to the clerk or prothonotary of the court; and if, upon the final decision of the cause, the plaintiff shall not recover a greater sum than that so paid into court for him, he shall not recover any costs accruing after such payment, except where the plaintiff is an executor or administrator.

§ 18. By the death of any party, no suit in chancery or at law, where the cause of action survives, shall abate, but until the legislature shall otherwise provide, suggestion of such death being entered of record, the executor or administrator of a deceased petitioner or plaintiff may prosecute the said suit; and if a respondent or defendant dies, the executor or administrator being duly served with a *scire facias*, thirty days before the term thereof, shall be considered as a party to the suit, in the same manner as if he had voluntarily made himself a party; and in any