

for any criminal matter or other misdemeanour shall issue out of any the Courts of this Province against any person or persons whatsoever without a presentment be first found against the said person or persons by the grand-Jury unless by a special order of Court and if the Attorney General or any other Attorney of the Provincial Court shall issue forth Process against any person or persons and no presentment or order of Court appears upon Record to justify the same the said Attorney so offending shall forfeit and pay for such his offence the sum of five thousand pounds of tobacco the one half to her Sacred Majesty her Heirs & Successors towards the defraying of the publick Levy of this Province the other half to the party griev'd or to him or them that shall inform or sue for the same to be recover'd in the Provincial Court of this Province by Bill Plaint or information.

And if any Clerk of the Indictments in any County Court of this Province or any other Attorney practicing in the said Courts shall issue forth Process against any person or persons for any criminal matter or misdemeanour without a presentment be first found by the Grand-Jury against the said person or persons or special order of Court appearing upon Record to justify the same the said Clerk of Indictments or other Attorney so offending shall forfeit & pay for such his offence the sum of two thousand five hundred pounds of tobacco the one half to her Majesty her Heirs & Successors towards defraying the County Levy the other half to the party griev'd or to him or them that shall inform or sue for the same to be recover'd in the respective County Courts of this Province where such offence was committed by a Return of debt Bill Plaint or information whereupon no Return Protection or Wager of Law to be allow'd.

Neither shall the party so offending have any Appeal or Writ of Error but the judgment of the County Court shall be definitive therein, And if the Clerk of the Provincial Court of this Province or any of the Clerks of the County Courts of this Province shall issue out Process in criminal causes without an order for the same under the hand of an Attorney practicing in the said Court or Courts to justify the same the said Clerk or Clerks so offending shall be liable to the same forfeitures & penaltys of Attorneys so offending and the said forfeitures to be recover'd as aforesaid & go to the uses aforesaid.

And be it further Enacted by the Authority aforesaid, that the Attorney General of this Province shall not recover nor receive any Fee for any Navigation Bond put in suit either where the Certificate was before the suit of the said Bonds lodg'd in the Secretarys Office of this Province or where it can be prov'd that he knew there was such Certificate return'd neither shall the said Attorney general receive or have any fee for any Bond for Country dues where the said Bond appears not to be forfeited, and if the said Attorney General after the End of this Sessions of Assembly shall sue any Bond taken contrary to Act of Parliament or any Bond taken for Country dues and no Bills of Exchange appearing protested nor no other failure to forfeit the said Bond or where the said Certificate is return'd into the said Secretarys Office appointed for keeping the same, any of which cases appearing to the Provincial Court the said Attorney General shall not only lose his Fees but pay the Secretarys Fees and what other charges the party hath been at in defending the same to be adjudg'd by the Provincial Court.

And whereas severall persons have been sued in her Majestys Name for a certain Sum without ever mentioning for what the said Bond was taken so that the persons do not know what courses to take or who to apply themselves to,

Be it Enacted by the authority aforesaid, that when any Writ is issued forth upon a Navigation Bond taken in her Majestys Name it shall be endorsed on the back side as followeth (for whom the person was bound & in what Year if a Sheriffs Bond at whose Request & Prayer it was sued or Bond taken in any of her Majestys Offices in this Province it shall be endorsed at whose Request it was sued and for want of such endorsement the Writ shall abate and the party griev'd shall recover his costs against the Attorney that sued forth the said Writ.

And be it Enacted by the Authority aforesaid by & with the Advice and Consent aforesaid, that whensoever the Grand-Jury in their respective County Courts of this Province shall make a presentment of the breach of any the Laws of this Province save only the Act for speedy Tryal of Criminals and ascertaining their punishment in the County Courts when prosecuted there if the party or partys presented confess his or their crime and submit to the Court then the Clerk of Indictments shall have one hundred pounds of Tobacco for his Fee and no more but if the Clerk of Indictments draws a Bill of Indictment upon the said presentment or the party traverses such presentment or Bill of Indictment & puts himself upon the Country for Tryal thereof then the Clerk of the Indictments shall have two hundred pounds of Tobacco for his Fee,