

# I N D E X.

## COURT-HOUSES.

ing of any One County Court-House. If more is adjudged necessary, they shall not Levy the same without Leave of the General Assembly. 1748, *ch. 20, §. 3.*

**COURT-HOUSE DOOR.** See *Marriage, 5. Passes, 1. Stray-Horses, 2.*

**COURT of APPEALS.** See *Appeal, 10. Continuance of Actions, 4.*

## COURT OF DELEGATES.

An Appeal from the Prerogative Court shall be made in Thirty Days after the Sentence; and prosecuted in Thirty Days more before the Court of Delegates; whose Sentence therein shall be final. 1715, *ch. 39, §. 27*; and 1726, *ch. 9, §. 2.*

**COURTS at LAW.** See *Advancement of Justice, 1. Attorneys, 2, 3. Continuance of Actions, 1, 2. Magistrates, 1, 2, 4.*

**CREDITORS,** not to be prejudiced by the setting Free of Slaves. See *Manumission of Slaves, 4.*

## CRIMINAL FEES.

1. No Sheriff, Jaylor, Clerk, or other Officer, shall charge either the County or the Public, with any Fees for Criminals committed to their Charge, being capable to pay the same by their Effects or Servitude: But such Criminals, being discharged by due Course of Law, shall pay their own Fees. 1715, *ch. 26, §. 7.*

2. But Fees due from Malefactors that are executed, or banished Persons, who have no Estates in the Province, shall be paid by the County. *Ibid. §. 8.*

3. All Fees due on the Prosecution of any imported Servants, at the Suit of the Lord Proprietor, shall be paid by the Owners of such Servants, and not by the Public or County. 1727, *ch. 2, §. 2.*

4. And the Owners, (unless in case of Conviction and Execution for capital Offences) shall have Remission for such Fees by such Servitude of the Servants, not exceeding Three Years, as shall be thought reasonable by the County Court; unless the Servant can make Payment otherwise. *Ibid. §. 3.*

**CRIMINALS.** See *Speedy Trial.*

**CROPPING.** See *Coins, 1. Negroes, 27, 40, 43. Records, 14.*

**CROP-TOBACCOES.** See *Inspectors, 24-27.*

**CROWS.** See *Squirrels.*

## CURSING, SWEARING AND DRUNKENNESS.

1. Every Person profanely Cursing or Swearing, in Presence or Hearing of any Magistrate, Minister, Commissary-General, Secretary, Sheriff, Coroner, Provincial or County Clerk, Vestry-man, Churchwarden or Constable; or being thereof convicted before any Magistrate, shall be fined, for the first Oath or Curse, 2*s. 6d.* current Money; and for every Oath or Curse, after the first, 5*s.* to the Use of the County. 1723, *ch. 16, §. 2.*

2. Persons, Drunk in Presence of any of the Persons aforesaid, or thereof convicted, shall be fined 5*s.* for every Offence. *Ibid. §. 3.*

3. If the said Fines be not immediately paid on Conviction, the Magistrate, or other Officer aforesaid, shall order the Offender (not being a Freeholder or other reputable Person) to be Whipped or put in the Stocks, (but no Offender shall receive more than 39 Lashes, or be kept in the Stocks above Three Hours, upon any One Conviction) and may appoint any Person not being legally exempted, as a Constable, to punish the Offender; which Person refusing to act shall forfeit 10*s.* Currency. *Ibid. §. 4 and 5.*

4. All such Convictions of Freeholders, or other reputable Persons, not having Money to pay the Fines, shall be certified by the Magistrate or other Officer, to the County Clerk; who shall make out Lists thereof, with the County Levy, to the Sheriff, under the County Seal, who shall levy the same by way of Execution, in the same Manner as public Dues. *Ibid. §. 4.*

## CURSING, SWEARING AND DRUNKENNESS.

5. Every Magistrate, or other Officer, appointed to put this Act in Execution, being themselves guilty of Cursing, Swearing, or Drunkenness, or omitting to punish others according to Law, shall, on Conviction before any other Magistrate or Officer above-mentioned, forfeit 10*s.* current Money, to be levied and applied as aforesaid. *Ibid. §. 6.*

6. Every Offender reviling any Magistrate or other Officer in the Execution of this Act, shall give Security in the Sum of 5*l.* Currency for his good Behaviour for Three Months, or suffer One Month's Imprisonment without Bail. *Ibid. §. 7.*

7. Any Magistrate or other Person, assaulted or beaten in the Execution of this Act, on bringing an Action of Assault, &c. shall recover treble Damages and full Costs. *Ibid. §. 8.*

8. Persons sued for any Thing done in Execution of this Act, may plead the General Issue; and on Verdict in their Favour, or Non-suit of the Plaintiff, shall have treble Costs. *Ibid. §. 9.*

9. Prosecutions and Informations for Cursing, Swearing, Drunkenness, and Omission to punish the same, shall be made within Ten Days after the Fact, and not afterwards. *Ibid. §. 13.*

## D.

### DAMAGES.

1. **THE** Justices of any Court of Record may assess Damages, and give final Judgment in all Actions of the Case upon *Assumpsit*, nor shall such Judgment be reversed for want of speeding a Writ of Enquiry. 1722, *ch. 6, §. 1.*

2. But if either Party shall, the same Court, pray a Writ of Enquiry, it shall issue. *Ibid. §. 2.*

3. If the Plaintiff insist on such Writ, and refuse Judgment for what the Defendant shall confess, he shall be at the Charge of such Writ, if the Jury assess no more Damages than the Defendant so confessed. *Ibid.*

See *Appeal, 6. Arrests, 2, 3. Bills of Exchange, 3, 5. Horses, 4. Indians Lands, 16. Inspectors, 13. Perjury, 3. Process Criminal, 2. Servants, 6, 18. Tobacco Plants, 1.*

**DAMAGES TREBLE.** See *Curfing, &c. 7. Guardians, 25. Servants, 20.*

**DAYS** for holding County Courts. See *County Courts, 1.*

**DAYS** for holding Vestries. See *Vestry, 18, 22.*

**DEAD TREES.** See *Highways, 11.*

**DEALING** with Servants. See *Servants, 5, 6.*

**DEBENTURE.** See *Drawback.*

**DEBTOR.** See *Passes, 3-5.*

## DEBTS.

1. Debts upon Account, how to be proved. See *Accounts.*

2. —Upon Assumption, or Bill or Bond under Hand and Seal, how Discount may be pleaded in Bar. See *Discount in Bar.*

3. —Contracted within the Province, by Bankrupts in *England*, how to be secured. See *Bankrupts.*

4. Foreign Debts, what shall be allowed as Evidence therein. See *Foreign Debts.*

5. What Debts shall be demanded before Suit commenced. See *Demand of Debts.*

6. For speedy Recovery of Debts—in the Provincial Court, see *Advancement of Justice, 3.*—In the County Court, see *Speedy Recovery, 1.*—Of Small Debts, see *Small Debts, 1.*

See also *Limitation of Actions, 1. Lord Proprietary, 2. Sailors, 1.*

**DEBTS DESPERATE.** See *Guardians, 14.*

**DECLARATION** how to be served along with a Writ, in Order to bring on speedy Trial. See *Advancement of Justice, 3. Speedy Recovery, 1.*

## E

### DECREES.