

I N D E X.

FEES.

9. No Officers or their Clerks, &c. in this Act mentioned, shall charge other or larger Fees than by this Act is limited, &c. without Consent of the General Assembly, on Forfeiture to the Party, not only of the Fees so charged or taken, but also 5000^{lb} Tobacco; to be recovered in any Court of Record, by Action of Debt, &c. And in Case the Party grieved do not prosecute the Offender within Six Months, then any other Person may prosecute for the same. *Ibid.* §. 109.

10. All Officers in this Act mentioned, shall take an Oath, that they will faithfully and impartially execute their several Offices, and charge no other, &c. Fees than are in this Act mentioned, &c. which Oath shall be taken prior to their receiving any Profits of such Offices. *Ibid.* §. 110. And all their Under Clerks and Deputies shall (under Penalty of 5000^{lb} Tobacco for every Refusal or Neglect) take the Oath in this Section prescribed. Which several Oaths shall be returned by the Magistrate before whom taken, to the Provincial or County Offices, as the Case shall require, and there recorded. *Ibid.* §. 111.

11. Accounts of Fees shall be drawn out fair, in Words at length. And Persons charged therewith shall have a Copy of such Accounts in as short a Time as may be convenient. *Ibid.*

12. All Persons entitled to Fees under this Act, shall set up a Table thereof in the most public Place of their Offices. *Ibid.*

13. No Officers shall send out their Fees upon Execution but once in every Year, between the 1st December and 10th January: Nor shall the Parties charged be liable to Execution, unless their Accounts be delivered them by the last Day of February. *Ibid.* §. 112.

For other Particulars, see *Acts of Assembly*, 2, 6.

Advancement of Justice, 4. *Agents*, 2. *Attorneys*, 5, 6, 7, 11, 12. *Bills of Exchange*, 2.

Bonds, 2, 4. *Collectors*, 1, 2. *Constables*, 8; 11. *Conveyances*, 5. *Criminal Fees*, per Tot.

Deputy-Commissary, 3, 4, 9—12. *Flour*, &c. 1, 5. *Musters*, 7, 9. *Naturalization Bills*, 1.

Naval Officers, 5, 6. *Officers Fees*, per Tot. *Passes*, 2. *Process Civil*, 1. *Public Arms*, 9.

Runaways, 2, 9, 10. *Servants*, 21. *Standard*, 3, 4. *Stay of Execution*, 5. *Special Bail*, 4, 5, 8.

Surveyors, 2. *Vestry*, 14, 16, 24. *Witnesses*, 9, 10.

FELONY. See *Advancement of Justice*, 2. *Hog-stealing*, 1, 2. *Servants*, 17. *Thieving*, per Tot. *Tobacco Inspected*, 6.

FELONY, without Benefit of Clergy. See *Blasphemy*, 3. *Boats*, 1, 2. *Horse-Stealers*, 1. *House-breaking*, 2, 3. *Negroes*, 35, 37, 38. *Tobacco-Houses*, 1.

FEMME COVERT.

1. Not bound by the Act of Limitation during Coverture. 1715, *ch.* 23, §. 3 and 6.

2. Her Acknowledgment of Deeds, how to be taken. See *Administration Bonds*, 3. *Bankrupts*, 5. *Conveyances*, 10, 13. *Specialties*, 2.

FENCES.

All Inclosures by Fences, or otherwise, shall be Five Feet high. 1715, *ch.* 31, §. 1. See *Horses*, 1.

FIERI FACIAS.

1. If, on a Writ of *Fieri Facias*, the Defendant will (upon Oath) shew all his Personal Estate, when required; or, if an Executor or Administrator will shew all the personal Estate of the deceased, so that such Part may be levied as the Plaintiff or his Attorney shall direct; the Sheriff shall cause the Goods to be appraised, within Three Days, by Four Freeholders of the County who are not of Kin, nor Debtor or Creditor to, either Party, Two of them to be named by the Plaintiff, and Two by the Defendant. 1716, *ch.* 16, §. 2.

FIERI FACIAS.

2. The Sheriff shall thereupon give Notice to the Creditor, or his Attorney, of the Value of the Goods; and shall deliver so much thereof (according to the Appraisalment) as will amount to the Debt and Costs, to the Plaintiff or his Attorney, in Discharge thereof: And the Creditor shall be obliged to accept of the same, at the appraised Value, for so much of the Debt and Cost as such Goods will amount to. *Ibid.*

3. If the Creditor refuse such Acceptance, the Sheriff may retain the Goods in his own Hands, for the Use and at the Risque of the Creditor, who shall pay the Sheriff all his Costs and Charges in keeping and securing the same: And shall have no other Action against the Sheriff than for the Goods so taken, &c. And the Sheriff shall give a full Discharge to the Debtor for the Amount of the appraised Value; which shall be a perpetual Bar against such Creditor, for so much as the Goods by Appraisalment shall amount to. *Ibid.*

4. Where either Plaintiff or Defendant are Non-Residents within the County, or shall not be present (on Notice given) at the Time and Place of Appraisalment, the Sheriff may appoint Two legal Appraisers in Behalf of the absent Party. *Ibid.* §. 3.

5. If both be Non-Residents, or not present, then the Sheriff, on Behalf of both Parties, may chuse Four Appraisers, qualified as aforesaid. *Ibid.*

6. This Act shall not empower any Sheriff to seize, by *Fieri Facias*, any Slave, Plate, or Jewels, in the Hands of any Executor, &c. reserved in Favour of Orphans by the Act of 1715, *ch.* 39; but the Sheriff shall be obliged to follow the Directions of that Act touching the same. *Ibid.* §. 4.

See *Administration Bonds*, 2. *Small Debts*, 1.

FINES AND FORFEITURES.

1. All Fines, Forfeitures, and Penalties, which by former Provincial Laws are made payable to or recoverable by the King, shall henceforward be payable to the Lord Proprietary, and recoverable by him in his own Name, to the Uses in those Laws expressed. 1716, *ch.* 3, §. 2.

2. Where such Fines are appropriated to the Support of Government, his Lordship's Government of this Province shall be thereby understood, and no other. *Ibid.* §. 3.

3. FINES, &c. where the whole is given to his Lordship, or appropriated to the Support of Government:

Persons summoned as Witnesses to the Provincial Court, and not appearing, forfeit 1000^{lb} Tobacco; and in a County Court 500^{lb} Tobacco. See *Witnesses*, 3, 4.

Sheriffs neglecting to summon Jurymen, shall be fined, — in the Provincial Court, 1000^{lb} Tobacco; — in the County Court, 500^{lb} Tobacco. See *Jurors*, 1, 2.

Clerk of the Provincial Court neglecting to lay a List of Petit Jurors, their Days of Attendance, &c. before the Committee for laying the public Levy, yearly, forfeits 6000^{lb} Tobacco. See *Ibid.* 7.

Owners neglecting or refusing to bring such Servants, of whom they claim more than Five Years Servitude, into Court, to have their Ages adjudged and recorded, forfeit 1000^{lb} Tobacco. See *Servants*, 9.

County Clerk neglecting to give the Attorney-General Notice of any former Conviction of a Criminal, forfeits 500^{lb} Tobacco. See *Thieving*, 6.

Jurors summoned, and not appearing at the Provincial Court, forfeit 1000^{lb} Tobacco; if in the County Court, they forfeit 500^{lb} Tobacco. See *Jurors*, 3.

Ministers, Priests, or Magistrates, joining any Persons together in Marriage, contrary to the Table of Marriages, forfeit 5000^{lb} Tobacco. And Lay-Magistrates marrying any Persons in any Parish wherein