

For want of Money for Fines may levy Tobacco and how.

And forasmuch as there is but little Money in the Counties of this Province, and that it will be Extreamly difficult to levy and Collect the Fines imposed by this Act, for the Greater ease of the Magistrate, or other Officers obliged to execute the Powers and Authorities herein contained, it shall and may be lawful for such Magistrate or other Officer, as aforesaid, where Money is not to be had, and the Persons Forfeiting the same are Free-holders, or settled Residents within any County in this Province, at their discretion, either to levy the same, according to the directions of this Act, or otherwise keep a fair account of such offenders Offences and Fines thereupon arising, and return the same yearly to the County Justices of *November* Court, under such Magistrates or Officers Hand and Seal, of which Account the said County-Courts shall cause their Clerks to give a fair Copy to the Sheriff of the County, in order to Collect such Fines and Forfeitures, and on refusal of Payment hereof, the Sheriff is hereby empowered to levy the same by way of Execution in Tobacco, at *One Penny per Pound*, and in such manner as the Publick and County levies of this Province, are, and have usually been levied and Collected, and render an Account thereof to the Justices of the respective County-Courts, to be applied to the Use aforesaid.

An Act for Rectifying the Ill Practices of Attorney's of this Province, and Ascertainning Fees to the Attorney General, Clerk of the Indictments, Attornies and Practitioners of the Law in the Courts of this Province, and for levying the same by way of Execution-

No procefs to Issue in Criminal Matters before a presentment be found or Order of Court made therefor.

On pain of 50 *ol.* Tobacc.

Attorneys in the County Courts for such Offence to be fined 2500 *l.* Tobacco.

BE it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of his Majesty's Governour, Council and Assembly of this Province, and the Authority of the same, That after the End of this Sessions of Assembly, No Procefs 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 his Excellency the Governour in Council, or of the Provincial or County-Courts in this Province; And if the Attorney General or any other Attorney of the Provincial Court, shall Issue forth Procefs against any Person or Persons; and no presentment or Order of his Excellency the Governour, in Council, or Order of Courts appear 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 his Majesty, his heirs and Successors, towards the support of Government within this Province, the other half to the party grieved, or to him or them that shall inform or sue for the same, to be Recovered in the Provincial Court of this Province, by Bill, Plaint or Information.

And if any Clerk of the Indictments in any County-Courts of this Province, or any other Attorney Practising in the said Courts, shall Issue forth Procefs 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 Especial Order of the Governour in Council, or County-Court appearing upon Record to justify the same, the said Clerk of Indictments or other Attorney, so offending, shall forfeit and pay for such his Offence the Sum of *Two Thousand and*

Five

Five and S the or sue this P Bill, Law Ne but t f the of the Cause pract or Cl of At afore Gene navig suit or w retur Fee to b Sessi men appe whe ed f cial- pay in c for tak to Con Bor side She any wh sha At Co Co of try Co fer th fo Bi