

An Act for Rectifying the ill Practices of Attorneys of this Province, and Ascertaining Fees to the Attorney General, Clerk of Indictments, Attorneys, and Practitioners of the Law, in the Courts of this Province, and for Levying the same by way of Execution. No 65.

BE it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That after the End of this Session of Assembly, no Process of any Criminal Matter, or other Misdemeanor, 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 Governor 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 Process against any Person or Persons, and no Presentment or Order of his Excellency the Governor 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, Complaint, or Information. And if any Clerk of the Indictments in any County Court of this Province, or any other Attorney practising in the said Courts, shall issue forth Process against any Person or Persons for any Criminal Matter or Misdemeanor, without a Presentment be first found by the Grand Jury against the said Person or Persons, or Special Order of the Governor 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 five hundred Pounds of Tobacco; the one Half to His Majesty, His Heirs and Successors, towards the Support of Government in 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 respective County Courts of this Province, where such Offence was committed, by Action of Debt, Bill, Complaint, or Information, wherein no Essoign, Protection, or Wager of Law to be allowed; 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 any Order for the same, under the Hand of an Attorney practising in the said Court or Courts to justify the same, the said Clerk or Clerks so offending shall be liable to the same Forfeitures and Penalties of Attorneys so offending, and the said Forfeitures to be recovered as aforesaid, and 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, lodged in the Secretary's Office of this Province, or where it can be proved that he knew that there was such Certificate returned; neither shall the said Attorney General receive or have any Fee for any Bond for County Dues, where the said Bond appears not to be forfeited; and if the said Attorney General, after the End of this Session of Assembly, shall sue any Bond
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