

liable on such Default, at the Request of the Party for whom such Evidence shall have been summoned, to have his, her or their Body or Bodies attached by Proceſs out of the Court to which they were ſummoned, which ſuch Court is hereby authorized and required to award accordingly; by Virtue of which Proceſs the Sheriff ſhall be obliged to have the Body of ſuch Evidence at Court where ſuch Writ ſhall be returned to, and ſhall oblige their Attendance at the ſaid Court. And in caſe any Witneſs ſummoned or attached, who being preſent, ſhall reſuſe or delay to give his Evidence, ſuch Witneſs ſhall be committed to Jail, there to remain till he ſhall willingly do the ſame.

And may be attached.

And after appearance, on reſuſal to give Evidence may be committed.

And for the aſcertaining the Expences of Jurors and Evidences,

*Be it Enacted,* That it ſhall and may be lawful for his Maſteſty's Juſtices of the Provincial Court of this Province, to allow unto the Grand-Jurors that ſhall ſerve in the Provincial Court, towards the defraying the Expences of the ſaid Jurors, for every Court they ſhall attend, any Quantity of Tobacco not exceeding Three Thouſand Pounds of Tobacco, at the Diſcretion of ſuch Juſtices, to be paid out of the Publick Levy of this Province.

Grand Jurors Allowance in the Provincial Court.

*And be it alſo further Enacted,* That it ſhall and may be lawful for the Juſtices of the ſeveral and reſpective County-courts of this Province, to allow unto the Grand-Jurors that ſhall ſerve in the ſeveral and reſpective County-courts, any Sum of Tobacco, at the Diſcretion of the ſaid Juſtices, not exceeding Five Hundred Pounds for each Court they ſhall ſerve; to be paid out of the ſeveral and reſpective County-Levies.

In the County Courts.

*And be it further Enacted,* That it ſhall and may be lawful for the Juſtices of the Provincial-court to allow unto every Petit-Juror ſummoned to ſerve in the ſaid Court, the Sum of Thirty Pounds of Tobacco for every Day ſuch Juror ſhall attend in ſuch Service; to be paid them in the publick Levy, beſides the Sum of One Hundred and Twenty Pounds of Tobacco, to be allowed every full Jury that ſhall paſs their Verdict in any Cauſe, to be paid by the Party for whom ſuch Verdict ſhall paſs, and be allowed in the Bill of Coſts as uſual: And that the Clerk of the Provincial Court, for the Time being, lay a Liſt of all Perſons that ſerved as Petit-Jurors in the Provincial Court, with an Account of the Number of Days they attended, and the Counties they were returned for, before the Committee for laying and apportioning the Publick Levy Yearly, under the Penalty of Six Thouſand Pounds of Tobacco, to the King, his Heirs and Succeſſors, for Support of Government; to be recovered by Bill, Plaint or Information, wherein no Eſſoyn, Protection or Wager of Law ſhall be allowed; for which he ſhall be allowed in the Publick Levy, Two Hundred Pounds of Tobacco and no more.

Petit-Jurors Allowance in Provincial Courts per Day.

And Cauſe:

And to prevent Partiality in Jurors,

*Be it Enacted, by the Authority, Advice and Conſent aforeſaid,* That no Sheriff ſhall ſummons any Perſon to ſerve as a Petit-Juror in any Court whatſoever, where he hath Knowledge ſuch Perſon hath any Matter of Fact depending for Tryal at the ſame Court he is ſummoned to ſerve in; and that no Perſon having ſuch Matter of Fact depending for Tryal, as aforeſaid, ſhall be admitted as a qualified Juror, between Party and Party, during the ſitting of ſuch Court that ſuch Matter of Fact ſhall be, or expected to be tryed in.

None to be Jurors that have Iſſues in Fact depending.