

An ACT for regulating Amercements in the Provincial and County Courts, and directing the Application of them; and for Repealing Part of an Act, Entitled, An Act for the better Administration of Justice in the High Court of Appeals, Chancery, Provincial and County Courts of this Province, for the more speedy Recovery of Debts, easy obtaining of Executions against Persons absenting from the Counties where the Judgments were recovered against them; for preventing Commissioners, Sheriffs, Sub-Sheriffs and Deputy-Clerks, to plead as Attorneys in the respective Courts to which they belong; and for Amercements in the Provincial and County Courts.

BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of His Lordship's Governour, and the Upper and Lower Houses of Assembly of this Province, and the Authority of the same, That every Plaintiff, not being an Executor, Administrator, or Minor, that shall be cast in any Cause in the Provincial Court, or discontinue his Suit, shall be amerced Fifty Pounds of Tobacco, and every Defendant in the same Court not being an Executor, Administrator or Minor, that shall be cast, if he imparles shall be amerced Fifty Pounds of Tobacco; to be applied as the Governour and Council shall direct; and that every Plaintiff in the County Court, (not being an Executor, Administrator or Minor,) that shall be cast in any Cause, or shall discontinue the same, shall be amerced Thirty Pounds of Tobacco; and that every Defendant not being an Executor, Administrator or Minor, that shall be cast, if he imparles shall be amerced Thirty Pounds of Tobacco; to be applied to the defraying the County Charge; all which Amercements to be levied by the Sheriffs, by Way of Execution, in the same Manner as the Publick and County Levies are. *Provided*, that no Defendant shall be liable to any Amercement against whom Judgment shall be rendered the first Court.

And be it further Enacted, That one Clause of an Act entituled, *An Act for the better Administration of Justice in the High Court of Appeals, Chancery, Provincial and County Courts of this Province: For the more speedy Recovery of Debts, easy obtaining of Executions against Persons absenting from the Counties where the Judgments were recovered against them; for preventing Commissioners, Sheriffs, Sub-Sheriffs and Deputy Clerks, to plead as Attorneys in the respective Courts to which they belong; and for Amercements in the Provincial and County Courts, that relate to Amercements, and the Application of them,* shall be and is hereby repealed. And be it likewise Enacted, That it shall and may be lawful to and for the severall and respective Justices of the County Courts within this Province, at their Direction, where it shall appear to them that any Plaintiff or Defendant in any Action hereafter to be brought in any of the said Courts, shall suffer by the Negligence or Omission of the Attorney or Attorneys, to immediately adjudge such Attorney or Attorneys to pay the lawful Costs accruing from such Plaintiff or Defendant thro' such Negligence or Omission, not exceeding Four Hundred Pounds of Tobacco; but if the Cost shall surmount that Sum, then in every such Case, the Plaintiff or Defendant shall be left

Several Amercements,

How to be applied.

Other Amercements,

How to be applied, And levied.

Provided, &c.

Part of a former Act repealed.

Justices Power to fine Attorneys for Neglect of their Clients Cause.

Client may sue his Attorney at common Law.