

And be it Enacted, That the Sheriff of every County shall summon Forty Eight of the best and most reputable Free-holders in his County, except Practising-Physicians, Chirurgeons, and other Persons exempt by the Laws heretofore made, to attend at the Assizes; and to prevent any Application to such Jurors to prepossess or influence them in giving their Verdict (it being inconsistent with the Duty of a Jury-Man to admit of or to be influenced by such Application) that the several Sheriffs, at the Time of summoning Jurors shall not only do the same in the most private Manner they can, but also not above Twenty Days before the Beginning of the Assizes to which they are summoned to serve.

Sheriff to
summons 48
Free holders
to attend at
the Assizes.

And to the End that the Justices of Assizes, *Nisi Prius*, *Oyer and Terminer* and Goal-Delivery, may not be hindered of proceeding in the Decision of Matters not determinable elsewhere, (which the Time allowed by Law for their Session is hardly sufficient to dispatch) in hearing petty-Offences tryable in the County-Courts,

Be it Enacted, That all Felonies, Trespasses and other evil Deeds tryable in the County-Courts by the Laws now in being, shall be heard and determined by the County-Courts, and not elsewhere, except Riots and other Offences to be committed in the View of the Justices of *Oyer and Terminer*, or during their sitting; and other Crimes and Misdemeanours, where it shall appear to the Justices of the Provincial-Court or Justices of *Oyer and Terminer*, from the Nature of the Offence or the Circumstance of the Offender, that a Tryal at the Provincial Court Bar, or before the Justices of *Oyer and Terminer*, shall be absolutely necessary.

All Felonies, Trespasses, &c. tryable by the County-Courts, to be try'd there,
Except, &c.

Provided always, That where any Presentment shall be found by the Grand-Jury at any Court of *Oyer and Terminer*, for a Matter tryable by the County-Court, and that shall by the Justices of *Oyer and Terminer* be referred to the County-Courts for Tryal, the Party presented shall not be obliged to pay any Fees or Charges, except what shall arise on the Prosecution in the County-Court; any Law, Usage or Custom to the contrary notwithstanding.

A Person presented at the Assizes, and try'd at the County-Court, to pay no Cost but in the County-Court.

Saving to all Parties accused, the Benefit of Writs of Removal, and Tryals in the Provincial-Court, or before the Justices of *Oyer and Terminer*, and Goal Delivery.

Saving, &c.

And whereas by the Act for the Advancement of Justice, it is Provided and Enacted, That in all Actions to be commenc'd in the Provincial-Court, for the Recovery of any certain Sum of Money or Tobacco, within the Jurisdiction of that Court wherein the Plaintiff should be desirous of a speedy Tryal, that if the Plaintiff should send a Copy of the Declaration in the Case, with the Writ, and cause the same to be served on, or delivered to the Defendant, or left at his or her last Place of Abode Twenty Days at the least before the Appearance-court, it should be lawful for the Justices of the said Court, and they are by that Act required to proceed to Tryal, the same Court; and if the Defendant should refuse or neglect to answer or plead, to render Judgment for the Plaintiff, with Cost of Suit; unless sufficient Cause should be shewn by the Defendant why there should be an Imparance.

A Plaintiff desirous of a speedy Tryal and using Means here directed, shall have Tryal.

Penalty on the Defendant neglecting to plead.

And that as Jurors are not summoned to the Provincial-court, but the Facts tryed in the several Counties where they arise, so that when the Defendant pleads a Matter of Fact tryable by a Jury, the Issue cannot be tryed at the Appearance-court:

Be