

3. The judges of the general court and justices of the county courts may appoint the clerks of their respective courts, and in case of refusal, death, resignation, disqualification, or removal out of the state, or from their respective shires, of the clerks of the general court, or either of them, in the vacation of the said court; and in case of the refusal, &c. or removal out of the county, of any of the said county clerks, in the vacation of the county court of which he is clerk, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office respectively, to hold the same until the meeting of the next general court, or county court, as the case may be.—*Const.* 47.

See *Oath of Office*, 7, 8, 10, 15.—*Office*, 2, 7.—*Recognizance*, 4.—*Records*, 15.—*Special bail*, 13.—*Witnesses*, 2.

JUDGMENT AND JUDGMENT BONDS.

NO attorney, or other person whatsoever, shall confess judgment, either in court, or before one or more magistrates out of court, for any sum of money or tobacco, &c. by virtue of any power of attorney, either separate or contained in any judgment bond, nor shall any court give judgment on any such bonds, by virtue of such powers.—1747, c. 23, § 2.

See *Administrators*, 29. *Amerciaments*, 6, 7, 10. *Coins*, 5. *Collectors*, 5. *Continuance of actions*, 2. *Costs of suit*, 9, 10. *County clerks*, 29. *County courts*, 26, 45. *Execution*, 1, 4, 5, 8. *General court*, 15. *Limitation of actions*, 6. *Sheriffs*, 40, 41, 49, 50. *Specialties*, 2.

JURY AND JURORS.

1. **T**HE Sheriffs shall cause to come before their respective county courts, a sufficient number of good and lawful freeholders of their several counties, to serve as jurors at the several county courts, giving them ten days notice, &c. and return pannels accordingly. And the sheriff, making default herein, shall be fined 500lb. tobacco by the county courts for the support of government.—1715, c. 37, § 2.

2. Freeholders so summoned and returned to serve as jurors, making default, shall be fined by the county court 500lb. tobacco, for the support of government.—*ibid.* § 3.

3. Magistrates, delegates, coroners, schoolmasters, overseers of highways, and constables, are exempt from attendance as jurors.—*ibid.* § 4.

4. Every