

Governor and council, 5. Manumission, &c. 2. Negroes and slaves, 58. Ordinary keepers, 13, 21. Retailers of spirituous liquors 8, 16.

## R E C O R D S.

1, 2, 3. **T**HE register in chancery, commissary, register of the land office the several county clerks, nor any of their deputies, officers or under clerks, having the keeping of the offices committed to them, shall take upon themselves the keeping of the respective records, or receive any fees, profits, &c. from their several offices, till they have entered into bond with two sufficient sureties, having visible landed estates, within this province (for the finding at his own expence good and sufficient record books, making true and perfect records and entries, preserving, repairing, &c. all the books, papers and records, remaining in, or added to his office,) during his continuance therein, &c. (See the condition at large, in 1742, c. 10, § 2,) viz. register in chancery, 1000l. commissary-general, 3000l. register of the land-office, 3000l. county clerks, each, 1000l. current money; which bonds shall be entered into, viz. for the chancery, commissary, and land-offices, before two provincial justices, who shall cause the witnesses to make probat thereof before them; which probat shall be endorsed on the bond, and, together therewith, be entered into the provincial land records, and the original lodged in the council office; and the county clerk's bond shall be entered into, before the county court, and immediately proved before the court, or two county justices, and entered by the clerk in the county records for conveyance of lands, and the original bond lodged in the council office.—1716, c. 1, § 3, 6; and 1742, c. 10, § 2.

4. Copies of such bonds, attested under hand and seal of office, of either the clerk of the provincial or county courts, shall be good evidence to maintain any action brought for breach of the condition. 1716, c. 1, § 3, 6; and 1742, c. 10, § 3.

5. Any persons may put such bond in suit for any particular breach thereof, to their respective damages, without any formal assignment of the bond; and shall have the damages, (assessed by a jury) awarded them by the court wherein recovered, out of the penalty.—But in case of non-suit, the prosecutor (whose name shall always be endorsed on the back of the original process) shall pay the defendant full costs of suit. 1716. c. 1, § 5, 6.

6, 7. An order from the lower house of assembly, or the provincial court, shall oblige the attorney general to sue the bonds given for the chancery, commissary, or land office, for securing the public from all charges of putting or preserving the said records in repair; and a county clerk's bond may be put in suit by order of the county court, for the indemnity of the county.—*ibid.* § 5, 6.

8. But