

8. But neither the public nor county shall be burdened with costs of non-suit, when there shall happen to be prosecutors.—*ibid.* § 7, and 1742, c. 10, § 5.

9, 10. The provincial justices may, oblige the commissary general, register in chancery, and register of the land office, to renew their bonds, with other sureties, where they shall disapprove the ability of the former, and the county courts may, oblige their clerks to renew their bonds with other sureties, where they disapprove the sufficiency of the former. 1716, c. 1, § 4; and 1742 c. 10, § 4, 6.

11. No part of the penalty of such bonds (on suit and recovery) shall be applied to any other use than making good the damages to the public, counties, or private persons, according to the true intent of this and the original act.—1742, c. 10, § 7.

12. No clerk or register, except parish registers, shall remove any books, papers or records, out of their respective public offices, and keep, or suffer the same to be kept out of their public offices, at any time between eleven at night, and six in the morning, on penalty of 10l. currency, for each offence; one half to the informer, the other to the county school. Provided such prosecutions be commenced within six months after the offence committed.—1747, c. 3, § 10, 11.

13. But county clerks may remove out of their respective public offices the last recording book for judgments by them kept, together with the four last court dockets and papers; and the same may keep at their own houses, or other convenient places within the county, for such time as to them shall seem necessary, without incurring the penalties in the foregoing article mentioned.—1748, c. 7, § 2.

14. Persons convict of wilfully embezzelling, impairing, razing, or altering any will or record, within this province, whereby the estate of inheritance or freehold, of any person whatsoever, shall be defeated, injured, or any ways altered, shall forfeit all their goods, chattels, lands and tenements; one half to the support of government, the other to the party grieved; and shall also be pillored, nailed and cropped. 1715, c. 11.

15. The qualifications of a judge or justice, shall be recorded by the court of which such judge or justice shall be a member.—Feb. 1777, c. 5 § 2.

16. In all actions or suits brought, or to be brought or prosecuted, and the same are or shall be entered agreed, struck off, discontinued, abated, or otherwise ended before final judgment or decree, the proceedings shall not be recorded, unless by the request in writing of the plaintiff or defendant, or his agent or attorney.—Nov. 1779, c. 25 § 10.

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