

1715. APRIL.

GEORGE I.

C H A P. XLIV.
Court may determine complaints, &c.

XXX. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid,* That after the end of this session of assembly, it shall and may be lawful for the provincial and county courts of this province to hear and determine any complaints between masters and servants, by way of petition, to give judgment and award execution upon the same; and that, upon appeal or writ of error brought upon the same, from any county court of this province to the provincial court, or from the provincial court to the governor and council, no such judgment shall be reversed for want of judicial process, or that the same was not tried by a jury, or any matter of form either in the entry or giving judgment; provided that it appears by the record that the defendant was legally summoned, and not condemned unheard.

Disputes to be determined by petition.

XXXI. AND BE IT FURTHER ENACTED, *by the authority aforesaid,* That if any matter of dispute arises concerning servants imported into this province, or any servant that binds himself for years within this province, or any bound out by the county courts of this province, in relation to their indentures, contracts or wages, or any other matter of difference between the said master and servant, the same shall be tried, heard and determined, by petition as aforesaid, any law, statute or usage to the contrary notwithstanding.

Slaves not to carry guns, &c.

XXXII. AND BE IT ENACTED, *by the authority, advice and consent aforesaid,* That no negro or other slave within this province shall be permitted to carry any gun, or any other offensive weapon, from off their master's land, without licence from their said master; and if any negro or other slave shall presume so to do, he shall be liable to be carried before a justice of peace, and be whipped, and his gun or other offensive weapon shall be forfeited to him that shall seize the same and carry such negro so offending before a justice of peace.

Servants stealing to be adjudged felons.

XXXIII. AND BE IT ENACTED, *by the authority aforesaid, by and with the advice and consent aforesaid,* That from and after the end of this session of assembly, any servant or servants whatsoever within this province, that shall feloniously take or purloin his or their master, mistress or dame's goods or chattels, under the value of one thousand pounds of tobacco, shall be adjudged felony, and being thereof lawfully convicted in any county court of this province, shall be adjudged to pay four times the value of such goods so purloined, to his or their master, mistress or dame, which he, she or they shall make good by servitude, after the expiration of their first time of service, and shall also suffer such pains of whipping or pilloring as the justices before whom such matter is brought shall adjudge.

Persons taken up not to be more than six months, &c.

XXXIV. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid,* That when any person or persons (except negroes and mulattoes) shall be found travelling without passes as aforesaid, and shall be taken up as suspected runaways, and by any justice of peace committed to the custody of any sheriff or gaoler within this province, it shall not be lawful for any such sheriff or gaoler to hold such person in custody longer than six months; and if such person can, at any time within the said six months, procure a certificate or other justification that he or she is no servant, he or she shall and may, by order of any two justices of the county where such person is committed to prison, be discharged from any further imprisonment, he, she or they serving such sheriff or gaoler, or his assigns, so many days as he, she or they were in custody of such sheriff or gaoler, or otherwise paying ten pounds of tobacco per day to such sheriff or gaoler for their imprisonment fees, and no more, and paying unto such person or persons who took up such person two hundred pounds of tobacco, or serving him, her or them twenty days in lieu thereof; and if any such sheriff or gaoler shall detain such person in prison after such order of two justices aforesaid, or the expiration of six months, and payment of ten pounds of tobacco per day as aforesaid, such sheriff or gaoler shall be liable to an action of false imprisonment; any law, statute or usage to the contrary notwithstanding.

Passed 3d of June, 1715.

C H A P. XLV.

An ACT for ascertaining the bounds of lands within this province. Lib. LL. No. 4. fol. 256.

This act was to commence the 1st June, 1716; and to continue in force three years, from that date. Expired.

C H A P. XLVI.

An ACT for the direction of sheriffs in their offices, and restraining their ill practices within this province. Lib. LL. No. 4. fol. 263.

A Supplementary act 1769, ch. 15.

Sheriff not to seize tobacco unstript, &c.

BE IT ENACTED, *by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same,* That no sheriff, under-sheriff or deputy-sheriff, shall seize any tobacco unstript, or seize or mark any merchant's or other's tobacco received, marked and nailed, for any cause whatsoever, but only for levies due to the public, county,