

A Supplement to the Act relating to servants and slaves. Lib. LL.

No. 4. fol. 423.

Passed 4th of June, 1719.

1715, ch. 44.

Preamble.

WHEREAS by the act of assembly relating to servants and slaves, there is not any provision made what shall be done with such runaway servants or slaves that now are, or hereafter shall or may be taken up and committed to the custody of any sheriff within this province, where the master or owner of such servant or slave, having due notice of such servant's or slave's being in the custody of such sheriff, refuses or delays to redeem such servant or slave, by paying their imprisonment fees, and such other charge as has or may accrue for taking up such servant or slave;

II. BE IT THEREFORE ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That from and after the end of this present session of assembly, every sheriff that now hath, or hereafter shall have, committed into his custody, any runaway servants or slaves, after one month's notice given to the master or owner thereof, of their being in his custody; if living in this province, or two months notice, if living in any of the neighbouring provinces, if such master or owner of such servants or slaves do not appear within the time limited as aforesaid, and pay, or secure to be paid, all such imprisonment fees due to such sheriff, from the time of the commitment of such servants or slaves, and also such other charges as have accrued or become due to any person for taking up such runaway servants or slaves, such sheriff is hereby authorized and required (such time limited as aforesaid, being expired,) immediately to give public notice to all persons, by setting up notes at the church and court-house doors of the county where such servant or slave is in custody, of the time and place for sale of such servants or slaves by him to be appointed, not less than ten days after such time limited as aforesaid being expired, and at such time and place by him appointed as aforesaid, to proceed to sell and dispose of such servant or slave to the highest bidder, and out of the money or tobacco which such servant or slave is sold for, to pay himself all such imprisonment fees as are his just due for the time he has kept such servant or slave in his custody, and also to pay such other charges, fees or reward, as has become due to any person for taking up such runaway servant or slave, and after such payments made, if any residue shall remain of the money or tobacco such servant or slave was sold for, such sheriff shall only be accountable to the master or owner of such servant or slave for such residue or remainder as aforesaid, and not otherwise.

Sheriffs to give notice, &c.

III. AND, In case any sheriff, or the buyer of such servant or slave, or others concerned in the execution of this act, shall be sued by any person or persons for any matter or thing done, or to be done, in pursuance hereof, it shall and may be lawful for every such person or persons so sued to plead the general issue, and give this act and the special matter in evidence, and in case of nonsuit, discontinuance, or verdict against the plaintiff, the court shall award double costs of suit.

General issue pleadable.

A Supplementary act to the Act for causing grand and petit jurors and witnesses to come to the provincial and county courts, and ascertaining their allowances. Lib. LL. No. 4. fol. 424.

Passed 6th of June, 1719.

1715, ch. 37.

Preamble.

TO prevent jurors from taking, and suitors from giving, larger sums for a verdict than is allowed by law, whereby it is obvious that some persons (who have more frequent trials by jurors than others,) have endeavoured to raise a general expectation in jurors of larger donations from them than from their adversaries, thereby endeavouring to incline them to their favour; for prevention whereof for the future;

II. BE IT ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That the sum of one hundred and twenty pounds of tobacco, or twelve shillings in money, be allowed and paid to every jury, for hearing or giving their verdict in any cause they are sworn to give their verdict in, whether in the provincial or county courts, and no more; and that in case any suitor give more than what is hereby directed, and be thereof convicted, he, she or they, shall for such offence (if to a juror in the provincial court,) forfeit the sum of six thousand pounds of tobacco, or under, at the discretion of the court; if in the county court, the sum of two thousand pounds of tobacco, or under, at the discretion of the court, to the right honourable the lord proprietary, the one half thereof to the use of schools, to be applied in the same manner as the additional duty of twenty shillings per head on negroes

Allowance to juries, &c.

negroes