

Exam

An Act for the Amendment of the Law and the Advancement of Justice, in Relation to the Apportioning of Damages

For the Amendment of the Law and the Advancement of Justice. Be it Enacted by the King's Most Excellent Majesty in Parliament assembled, and the Authority of the said that from and after the End of this present Session of Assembly, the Justices of Every Court of this Province, may apportion Damages and Give a final Judgment in all Actions of the Law upon a Complaint whether the same shall be Entered upon ~~by~~ Default Demurrer Nil Dicet non sum Informatus or upon Confession and no such Judgment, shall be Stayed or Reversed for or by Reason of not Speeding or Executing a Writ of Enquiry of Damages any Law usage or other thing heretofore had made or used to the contrary Notwithstanding, Provided always, and be it Enacted by the Authority aforesaid that if either party Plaintiff or Defendant shall the same Court that Judgment shall be given rendered, pray or insist on a Writ of Enquiry of Damages the same shall Issue in such Manner as if this Act had been made, and if any Plaintiff shall insist on a Writ of Enquiry of Damages and Refuse to take Judgment for what the Defendant shall Confess, the Plaintiff shall be at the Charge of such Writ of Enquiry, if the Jury apportion more Damages, than the Defendant Confessed

October 21th 1722

October 26th 1722

Read and Assented to by the Lower House of Assembly and Signed by Order of the same
Munisford Esq.

Read and Assented to by the Upper House of Assembly and Signed by Order of the same
Sam. Skippou Esq.

November 3rd 1722

In the Behalf of his Lordship the Most Honorable the Lord Proprietor of this Province I will this be the Law

Charles Albert

Bartholomew Durrant