

Sheriff of
Anne Arundel
County to re-
turn 24 Per-
sons, out of
whom is to
be impanel-
led a Jury.

tices of *Oyer and Terminer*, or during their Sitting. *Provided always, and be it Enacted by the Authority aforesaid*, That it shall and may be lawful for the Justices of the Provincial Court, for the expediting the Causes to be tried before them, to order the Sheriff of *Anne-Arundel* County, immediately to summon a competent and sufficient Number of good and lawful Men *de Circumstantibus*, and not less than Twenty-four in Number, to serve as Jurors, and return a Pannel of them, for the Trial of any Issue so to be had and tried before the said Justices of the Provincial Court, and that they shall be ballotted in the same Manner that Petit Jurors are before by this Act directed to be at the Assizes; and that the first Twelve Jurors that shall be drawn, shall be the Jury to try the Cause, unless some legal Exception, by either Plaintiff or Defendant, be made against any of the said Twelve Jurors; in which Case, others in their Room shall be in like Manner drawn, in the Stead of those to whom legal Exception shall be made. *Provided*, That where any Presentment shall be found by the Grand Jury, at any Court of *Oyer and Terminer*, for a Matter triable by the County Court, and that shall by the Justices of *Oyer and Terminer*, be referred to the County-Courts for Tryal, the Party presented shall not be obliged to pay any Fees or Charges, except what shall arise in the Prosecution in the County-Court; any Law, Usage, or Custom, to the contrary notwithstanding: Saving to all Persons accused before the Justices of the County-Courts, the Benefit of Writs of Removal, and Tryals in the Provincial Courts, or before the Justices of *Oyer and Terminer*, and Goal-Delivery.

And whereas by *An Act for the Advancement of Justice*, it is Provided and Enacted, That in all Actions to be commenced in the Provincial Court, for the Recovery of any certain Sum of Money or Tobacco, within the Jurisdiction of that Court wherein the Plaintiff should be desirous of a speedy Tryal, that if the Plaintiff should send a Copy of the Declaration in the Case, with the Writ and Cause, the same to be served on, or delivered to the Defendant, or left at his or her last Place of Abode, Twenty Days at the least before the Appearance Court, it should be lawful for the Justices of the said Court, and they are by that Act required to proceed to Tryal the same Court; and if the Defendant should refuse or neglect to answer, or plead to render Judgment for the Plaintiff, with Cost of Suit, unless sufficient Cause should be shewn by the Defendant why there should be an Imparlance; and that as Jurors are not summoned to the Provincial Courts, but the Facts tried in the several Counties where they arise, so that when the Defendant pleads, and of Fact triable by a Jury, the Issue cannot be tried at the Appearance Court:

Be it therefore Enacted and Declared, That where Copies of Declarations are served, or left according to the Directions of the said Act, and no sufficient Cause shewn for an Imparlance, and that the Defendant should plead a Matter of Fact which is required to be done at the Appearance Court, that then and in such Case, the Fact shall be tried at the first Assizes that shall happen after the Appearance Court in the
County

Where the
Cause is to be
tried when
no Occasion
appears for an
Imparlance.