

Reverendissimo

Co

Leges Illustrissimo Principi Jacobo Duce
Eboraci & Albani &c
Instituta & Ordinata

Ad Observandum in Territoriis Americae

Transcripta
Anno Domini

1694

[*vide Smith's History of New York [Albany Ed^o 1694] pag. 123*]

Jus

Novae Eboracensis

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Absence.

If any Justice of the Peace or High Constable shall be absent from the Sessions hold within that Riding where he inhabits or from the Generall Court of Assizes he shall pay for Every dayes absence 10. and Every party punished for each default shall pay 5. unless one of the Justices who shall be nominated by the Jury doo give Attendance on the Court in his Place with the Constables Staffs. Provided also that it shall be Lawfull for the Justices upon the Bench to discharge any Constable from his Appearance, if they shall thinke fitt.

Actions.

That all Actions of Debt account Bond. and Actions of the Case concerning Tolls and Accounts shall be tryed within that Jurisdiction where the Cause of Action doth arise.

In all Actions of what Nature soever not Exceeding the Value of 100. between Neighboures Arbitration of two Indifferent Persons of the Neighbourhood shall be allowed which Persons are to be nominated by the Constable of the Place before it be brought to a Court Court and if either or both Parties shall refuse upon any Protonce to stand to Arbitration then the Court shall determine the case if about that Value then the next Justice of the Peace upon the Complaint of the Party shall appoint Arbitration to both parties and if they accept thereof the Justice is to nominate the Arbitrators but if either Party refuse then the Justice is to give forth his Warrant as the Accours requireth.

In all Differences Under 5. not tryable in Sessions the Constable is to have 1. for nominating Arbitrators to whom if the Difference be referred they shall 4. vs. each if the Accours be brought to the Justice he shall have 4. vs. for nomination and the Arbitrators be appointed 4. vs. each.

In Towne Courts the Constables and Overseers are
to give their Judgments by the Major Vote where Six
with the Constable or Seven in his Absence are competent
and Equivalent to a Jury: and the Constable upon Equall
Division to have a Casting Voice.

That to prevent the Trouble of too frequent holding of
Towne Court to a Court may be hold in Each Respective Towne
at some Convenient Certain Time, Either once in 2 or 3 or more
as shall be Judged most fit and if any shall desire to call a
Court any other Time that then he pay for the Charge and
trouble thereof as it shall be Reasonably adjudged by the Court

The Fees belonging to the Towne Courts shall be halfe of
what shall be allowed at the Sessions as the Fees of the Court of
Sessions are halfe of the Fees of the Assizes.

All Accions and Causes from the Value of 5^l. to 100^l. shall be
tried at the Sessions within that Jurisdiction from whence there is
to be no Appeal unless the Debt Approach to be about the Sum
of 10^l. or more where there is Dubiousness in the Expression of the Law
which doubt made by one if it leads to the Casualty or Deceit of
the other by the Person the Offending shall pay all the Charges

Titles of Land as well as other Accions are to be tried in
Sessions unless being above the Value of 10^l. they shall be
ordered to be tried at the Assizes by the Speciall Warrant
from the Governour.

Any Accions of Debt above the Value 10^l. they shall be
ordered to be tried at the Assizes by Speciall Warrant from
the Governour.

Where the Originall plaint is Matter of Equity the Proceedings
shall be by offering of Bills and Subscribing in Answer upon
oath by Examination of Witnesses in like manner as is used in
the Court of Chancery in England; and due regard must be had
that the Defendant have timely Notice thereof, as is Appointed
at the Common which is Eight Days warning before the Court
shall sit.

All Accions of Assault or Battery, Breach of the Peace or
the Like, are to be tryed at the Sessions Within the Jurisdiction
where the Offence is Comitted, for which the said Justices of the
Peace may take Warrant, or Comitt such Offender, to Prison till the
next Sessions.

If any Person shall Pleade his Debt or Trespasse to be abroad
and on the hearing, it shall Apppear to the Court to come
under that Valuer, such Cause, the P^l shall Lose his Accion
and Pay the Defend^t Costs.

Any Person removing his Suits by Petition or removing Cause, the P^l
shall pay the whole Charges of the Court and by Default to a
fine. But if the Def^t shall be in the fault the Court Charges
shall be imposed on him.

Any Person falsely Pleading great Damages and Debts to vex his
Adversary shall pay Treble Costs Damages.

The P^l at the Entry of his Accion, shall Enter into a Recognizance
to Pay ino Days Cost of a Jury, for each Accion that be Draught
to be tryed at the Assize or Sessions.

All Accions shall be entered by the P^l and filed in the Clerks
Office with his Declaracion Eight Days before the Day of hearing
to the end that the Defend^t may if he please take a Copy
thereof and provide his Answer, which is also to be filed by
the said Def^t and the Judgment is for the P^l shall be Entoured on
the Declaracion if for the Defend^t upon the Answer and all Evidence
concerning the Cause to be filed together, and remain in the
hands of the Clerks.

Those that Live at great Distances from Courts are to have
the heads of the P^l Declaracion Left at the Place of their
abode, as well as the Summons Eight Days before the
Tryall.

The Plaintiff may have Liberty to Withdraw his Accion and be
non-suited if hee so pleaseth before the Jury have given
their verdict; but he shall pay full Costs and Charges to
the Defendant.

Where an Accion hath been once Entered for Process in Court
although the Differences shall be Compromised between the Parties
before they come to a Tryall yett the Plaintiff shall Enter such a
Groomant in the Bands of the Clerk of the Court and soe shall
have Liberty to take his Accion off the file paying only for the
Entry of the Agreement as for the Entry of the Accion upon
forfeiture of 5. for each Sessions while his first entry of the
Accion remains upon the file.

Administration

Upon the Death of Any Person the Constable with two Overseers
of the Parish shall repair to the house of the Deceased Party
to Enquire after the Manner of his Death and of his Will and
Testament, and in Case None shall Appear, or shall be Produced
it may be taken for granted that the Person dyed Intestate; and
in the presence of the Widow, Children, and other Relations if
any such there be, or if any refuse to be Present it shall be
Lawfull for the Constable in the presence of the Overseers to
make a due Search and Inquiry after the Estate of the Deceased
and within Eight and forty hours after he is to deliver in
writing and upon Oath his full Knowledge to the Next Justice
of the Peace, and the said Justice of the Peace is Empowered to
send out Warrants to take Security Against any Imbezzlement
or Disposall of the said Estate under any penalties whatsoever
untill the Next Court of Sessions where all Causes of Administration
within that Liberty shall be Adjudged.

The Estate of all Persons dying intestate who have neither
Wife Reliance of Children Brothers or Sisters or their Children
Uncles or Aunts or their Children for want of such Heirs shall
Escheat to his Royall Highness: Provided always that such
Reliance shall not hinder the Lawfull Claims of any such
to the Court Within one Year and six Weeks or two Years where
the Party concerned inhabit out of the Countrey.

That no Administration be granted untill the Second Session
after the Decese. Except to the Widow or Child Brother or Sister
to whom it may be immediately granted, ~~the said~~ Widow or Child
Brother or Sister bringing sufficient Security for the performing
of all things the Law requires and saving the Court harmless.
and in case the Widow or Child Brother or Sister doe Administ.
the Estate shall be Inventoried and Appraiment made by four
men appointed by the Court and Sworn by a Justice of the Peace
whiche Inventory or Appraiment shall by the said Widow or
Child Brother or Sister be brought into the next Court of Sessions
unless the Court for reasons shewed them may think fit to grant
Liberty to bring it in the Court following. But in case the Decedent
die without Widow or Child Brother or Sister then the Estate for
the better improvement thereof shall be sold by order of the Court
at an outcry, and all the Purchasers shall put in Security and
acknowledge Judgments for their debts, which by the Court shall
be assigned to the severall Creditors of the Decedent and paid
according to the priority of Law and the Expences remaining if
any be delivered to the next Assizes of the Decedent if no
appears or if none appears himselfe such within one year and
six Weeks or within two years where the Party concerned inhabit
out of the Countrey then the Court to give an Account of the said
Surplusage to the Govern. and when the Widow or Child
Administer the Surplusage after debts paid and the funerall
charges according to the Quality of the Person allowed for shall
be Equally divided betwixt the Widow and Child: Provided
the eldest Sonne shall have a double portion and where there be
no Sonne the Daughters shall inherit as equals, and if any
of the Children shall happen to dye before it comes to a he his
Portion shall be divided Among the Surviving Children.

Whoever Pleads to Administer upon any Estate shall bring to the Court sufficient Security before the Order shall be granted, And an Order thus Obtained Legally by giving such Security to be truly Accomptable to bring in a true Inventory and to Performe such things as Administrators by Law are Enjoyed, shall not at any time after be removed unless the Party that Obtained the same by or for he hath given an Account of the Estate and obtained the Quictus in which case the Court is Empowered to grant the Administration of such Estate to some other Person who may be virtuous thereof capable to be an Executor or Administrator of the former Administrator to Accompt who shall pay out of the Decedts Administrato. Estate all such Debts as shall be found due to the Estate to be Administred upon in the first Place.

A Quictus is to be procured within a year and six Weekes after a Licence granted, or will proved.

If any Person shall renounce his Executorship or that some of his Friends or Kindred of the Decedts party that shall Intestate shall seek for Administration of such Persons Estate. Then the Constable of the Towne where such person shall dye shall give notice thereof to the Court of Sessions that so the Court may take order therein as they shall think most who shall also allow such Constable due recompence for his pains but if the Constable failes he shall forfeit xxx^s.

If any Executors nominated in any will and knowing thereof shall not present the same at the next Court of Sessions, which shall be about thirty days after the Decedts of the Party, Cause the same to be returned by the Recorder or Clerk of that Court with in which Jurisdiction ~~the~~ such party the Decedts Party last dwelt, or if any other Person whatsoever shall not within the same time take Administration of all such goods as he hath, or shall Enter upon of any Parties Decedts Except for buying of the party Decedts, or if any Person or Persons shall Alienate or imbezzle any Lands or goods before they have proved and recorded the will of the Decedts or taken Adminicee Every such Person so Administring or Executing shall be Lyable to be sued and shall be bound to pay all such Debts respectively as the Decedts Party owed whether the Estate of the Decedts have sufficient for the same or not and shall also forfeit whatsoever shall be thought fit to be imposed by the Court of Sessions.

That the Clarke of the Sessions when he Carries the Probates or
Commissions of Admicon to be Signed doe then also certifie into the
Recorders office, at New York the Name of the Executor or the Party
Deceased the Executors or Administrators and their Surety; of the County
and Parish where he Dwell and the Court where in the Admicon
is granted to this end that the Strangers and other Creditors in debts
in the Estate may be the better Enabled to find out the Records in
which the Receipt of the Estate is Entered and be informed how
they may come by their Just Dues.

That all Originall Bills after having been proved at the Generall
Court of Assizes or at the Sessions and returned into the office of Records
at New York shall remaine there and the Executors or Administrators
shall receive a Coppy thereof with a Certificate of their being Allowed
Warranted under the Seals of the office PROVIDED always that the said
Bills or Administrations be of such Estates as shall be of or about the
value of one hundred Pounds but if they shall happen to be of more
that value that then they be only recorded in the Countes where the
Parties Deceased and at the Sessions.

Wills to be proved and admicons granted in Sessions if the Estate
be under the value of one hundred pounds shall pay one shilling, if
one hundred pounds five shillings and six pence proportionable for shillings
for each one hundred pounds towards the Defraying of Court Charges.

Constables are to have a competent Allowance for the time they
spend in search and inquiry after the Estate of the Deceased to be made
by the Justice of the Peace before whom he shall take his Oath
of the truth of what he is to deliver in concerning the Estate.

That the Appraisors of the goods of any one dying intestate
shall have Satisfaction allowed them by the Court of Sessions at the
time of their Nomination.

Memorandum that what is therein spoken of Executors
and Administrators the like is meant and Intended also of
Executors and Administrators who in such cases are to have
the same Priviledges.

Amerciaments

All amerciam^{ts} and fines that are not expressly Regulated because the Merit of the Cause or Offence cannot be foreseen shall not be imposed at the Discretion of the Court.

That all fines and Amerciaments be Collected by the Petty Constables who are to give in an Account of them to the High Constables Eight Days before the Sessions Entering and the High Constables shall give in their Accounts to the High Sheriffs Eight Days before the next Assizes.

Appearance

It shall be Lawfull for the Pl^t or Def^t to take out a Supplicⁿ from a Justice of Peace the High Sheriffs or Justice of the Peace or more Witnesses to give in their Evidence in Case they will not Appear Voluntary (and the Witnesses for Supplicⁿ will for non Appearance at the Sessions be fined $10s$ and for non Appearance at the Assize forty Shillings or such other fine for punishment as shall be adjudged by the Court for Damages done to the Cause by his Non Appearance.

Provided that no man shall be Punished for Non Appearance at or before any Court or Court of Law for the Omission of any Office or Service if he shall be necessarily hindered by any Appearance Act or Provisions of Law which he could neither foresee nor avoid provided also that this Law shall not Prejudice any part of his Just Costs Damages in Civil Actions.

Appeals

That no Justice of the Peace that hath sat as Judge or Doct^r in any Inferiour Court in that Cause he is Appaled from shall be any Doct^r in the Superior Court Appaled to but the Cause shall be Determined by such as are now ways engaged in the Cause by Judging or Giving Evidence, and in all Cases of Appeals the Court Appaled to shall give the Cause according to the Evidence and the Affairs. Unless the Material Witnesses was not then in the County he necessarily hindered from giving in Evidence at the Trial only rectifying what is amiss therein and the true Matter of fact is found to agree with the former Court and the Judgment according to Law, not to reverse the Judgment or Sentence, but to abate or decrease Damages as shall be thought right.

That in all cases of Appeals the Appellant do putt in good Security for prosecuting the Appeals and Payment of Damages to the Def. if the Appellant be fast in the Suits for his unjust Moléstia

If the Cause of Appeals be of a Criminal nature the party shall putt in Security for the good behaviour also until the bearing out of the Cause be Capitall and the p^rson condemned shall Appeals be shall be kept in Payle till the next Assizes and then Prosecuted & tryed accordingly.

All Appeals with the Security aforesaid shall be recorded at the Chancery of the Pry Appoyning and Certified to the Court to which they are made and the Pry Appoyning shall briefly in Writing under his own or his Attorneys hand give into the Clerk of the Court from which he did Appeals the grounds and reasons of his Appeals eight days before the beginning of the Court to which he did Appeals to which Court the said Clerk shall returne the said Writing and give Copies thereof to the Def. and Whosoever shall Appeals from the Sentence of any Court and not prosecute the same to Effect according to Law shall besides his bond to the Pry forfeit to his Royal Highness five for every such Neglect.

The Security to be given for prosecuting of Appeals shall be taken by the Court the party Appeals from and before the Prosecution of any other Suits at the Assizes Security shall be given into the Clerk of the Assizes.

All Appeals are to be made by way of Petition to the Governour and Council and the Appellant shall pay 10. upon the delivery of his Petition on or about 5. to the Clerk of Assizes for entering the Appeals.

Appreiment of Goods.

That the Def. and Def. shall chuse each of them two Indifferent men for that purpose and in case of disagreement the said Def. or any three of them shall chuse an Imparialis for chosen shall be sworn by the next Justice of Peace to Appreie such goods Indifferently, and his Impariage to be final and if the Def. or Def. shall not Appoint Appreiers within three days after Execution is showed Notice being given them by the Sheriff: too when it was directed that then the Sheriffs in such such cases of Neglect shall chuse and Appoint Appreiers either for the Pry or Def. for Appreying the goods aforesaid upon Execution as aforesaid.

The Pines who shall be nominated and chosen Appraisors of
good hand or phisicour. They shall be taken in Execution and
to be allowed 4. s. pound for what shall be by them so appraised
which is to be paid by the P^{ty} cast in the Suits and taken
Accordingly.

That before such Appraisalment the Sheriffs shall remove the
goods out of the Possession of the aforesaid P^{ty} cast and the
Surplusage if any be is to be returned to him but after Apprai-
ment made as ~~before~~ the property to rest in the Sheriffs for
the use of the Creditor to whom the Sheriffs shall give notice
that he may take them into his own Possession and because there
can be no return against the record the Sheriffs shall make
return of the Execution to the Clerks of the Courts or Sessions
that signed by Order of the Court by him to be entered upon
record under the Order it was issued upon that so the Satisfaction
as well as Judgm^t may be authentically proved if Occasion Requires

Arrest

That no Sheriffs or other Officers shall execute any Writs
or Warrant upon any P^{son} or P^{sons} either upon the Sabbath Day
upon the Day of Humiliation for the Death of our Late King or
upon the Day appointed for Thanksgiving for his Majesty's happy
Restoration or upon the first Day of November provided
always that it shall and may Lawfull for the Sheriffs or any
other Officer to apprehend and carry to prison any P^{son} or
P^{sons} for treason Felony and Breach of the Peace or Escaped
out of prison when under Execution upon any Day at any Place
any thing in this Law to the contrary notwithstanding all that come
to the Sessions or Assize for publick Service or upon Compulsion
upon Complaint or Examination of the Matter by Oath shall be freed
from any Arrest during their Occasions so long as the Court
sits.

All Arrest Writs Warrants and Proclamations are to be
in His Royall High^{ness} name.

NOR Person shall be arrested for any Debt or fine until the time that the Debt or fine shall become due is expired unless it doth appear upon Oath that the Debtor doth intend to Convey himself away or purposes to avoid the Accⁿ and Defraud his Creditors in which case he shall not be arrested but by Speciall Warrant.

NOR High Sheriff or Justice of the Peace may at any time grant a Speciall Warrant but during the time of the sitting of the Court of Sessions the whole bench may grant it.

If any Suits or Accⁿ depends between any two Persons of our Province the one shall not cause the other to be arrested in any other Jurisdiction upon any pretence but by Speciall Warrant Provided that the priviledge of the Corporation of the City of New York be not infringed but that it shall and may be lawful for any of the Inhabitants thereof to arrest a Debtor in the said City though the Place of his abode shall happen to be in any other Towne within this Government and the person so arrested to sue and implead in the City Court any Law to the contrary in any wise notwithstanding.

Whoever shall upon any pretence of Deb^t or Transp^{and} Arrest any Person with intent to Disenable him from giving in Testimony in any Cause depending or from prosecuting any Suits in which he shall be engaged shall be punished by Fine and imprisonment at the discretion of the Court and the Person so arrested shall be set at Liberty neither shall the Cause for want of such Evidence whilst he is arrested be adjudged to the prejudice of either Pl^t or Def^t.

Any Person under Arrest except in Cases not Bayliffed may be set at Liberty to prosecute Answer or give in Evidence at the Sessions or at any other Place where Security being given for his return to Prison and in Case no such Security can be given the Court may send for the party by Speciall Warrant.

NOR mans person shall be longer imprisoned for Debt or fine when he can find Surety for his Answering the Suit or paying the Debt and if it shall appear to the Court that the Debtor impleaded hath a competent means to give Satisfaction out of his Estate real or personall for the said Debt then the Court shall discharge the Person and Secure the Pl^t Debt out of the Def^t Estate.

All Persons of known Estates who to get Straits refuse
the Payment of their Just Debts if Arrested and Imprisoned
shall be kept at their own Charge and not the P^{ts} List -
Security be given or Satisfaction made PROVIDED that no
man's Person shall be kept in Prison for Debt or fine Longer
then the second Day of the next Sessions after the Arrest -
unless the P^{ts} shall make it appear that the Person Arrested
hath some Estate which he will not produce in which case
the Court may authorize an Oath to be administered to the Party
or any other Suspected to be Privy in concealing his Estate
and the Court shall also Order if no Estate ~~shall~~ be found
that the Debtor shall Satisfie his Deb^t by Services of the
Creditor so require as also the Charges of his Arrest
and Imprisonment.

Assessments

All Assessm^{ts} shall be made by the Constable and the Eight
Freeholders of the Parishes Proportionally to the Estates of the
Inhabitants in the Town or Parish where such Assessm^t -
is to be made and Every Inhabitant who shall not contribute -
to all Charge both Civil and Ecclesiasticall proportionally to
the rate so assessed shall be compelled therunto by Attachment
or distress of goods to be Levied by the Constable PROVIDED
that no man shall be Attached for Estate real or Personal
which Lyeth not within the same Town or Parish where
he is Assessed.

That the Justices of the Peace only shall be Exempt from
paying any Publick Assessm^t in the Parish where they Inhabit
during the time of their bearing Office Paym^t to the Church
only Excepted.

The Town of Assm^t shall be Certified in Writing into
the Sessions and the Justices are empowered to release any
inhabitant by Abatement who shall make it appear that
he is overcharged.

In Case of the Necessary or Casuall absence of one two or more
of the Overseers whose Names or other Duties are to be
performed relating unto the Constables and the Eight Overseers
it shall be Lawfull for the Constables and former Overseers to
act and determine as if the whole Number were present &
if any one Overseer shall happen to dye during the Term of his
of his office, it shall be Lawfull for the rest of the Overseers
by the Major vote to chuse another in his place and hee shall
be chosen upon refusal of the said office shall forfeit to
the Towne Ten pounds towards the paying of the Charges

Assault

Assaults are made either by Blows or offering of Hurtfull
Blows or at least by Threatnings and menacing Speeches
to rebuke an Officer with foul words so that hee depart
with feare without doing his office shall be taken for an
Assault.

A Servant or Workman convicted by Confession or two
witnesses for Assaulting his Ma. Dame or Overseer shall be
imprisoned till the next Sessions where hee shall be brought
to answer for the fault and to receive what Corporall
Punishment the Court shall Judge saving Life & member

In defence of himselfe his wife father or Mother Children
or Servants a man may Lawfully use force to resist any
Attempt made to that purpose.

Assize

The generall Court of Assizes shall be hold but once
in the yeare which shall begin on the Last Thursday in
September at New Yorks unless it shall be called speciall
Warrant at some other time to hear and determine
some Extraordinary Cause which requires a speedy dispatch

Noe other Process shall Issue forth for the tryal of
actions at the Generall Assizes but the Generall speciall
Warrant Except in Cases of Appeals.

Upon information of any Court of Sessions to the Govern.
and Councell of any Capitall Offend. Within the Court
of Admirals shall happen to be within two Months time
after such information the Govern. and Councell shall
give forth a Warrant and Commission for the more speedy
tryall of such an Offendor.

Attachment & Summons.

It shall be in the Liberty of every Jst to take out
either Summons or Attachment against any Defendant
Provided that no Attachment shall be granted in any
Civill Action before the Jst hath given sufficient Security
or Caution to prosecute his Action and to Answer the Def^t
such Costs at the Court shall Award him.

That in all Attachm^{ts} of goods and Chattels or of Lands
and Hereditaments Legal Notice shall be given to the Party
or Left in Writing at his house or usual place of Abode
otherwise the Jst shall not proceed notwithstanding if he be
out of the Jurisdiction the Cause shall proceed to tryall but
Judgment shall not be Entered before the next Court and if
the Def^t do not then Appear Judgment shall be Entered
~~before the next Court and when the Def^t do not then Appear~~
But Execution shall not be granted before the Jst hath given
Security to be Responsible to the Defond^t if he shall reverse
the Judgm^t. Within one year or such further time as the
Court shall Limit.

That no Sumons Pleading Judgm^t or any kind of Proceedings
in Courts or Courts of Justice shall be Abated Arrested or
Reversed upon any kind of Circumstantial Errors or Mistakes
if the Jst and Cause be rightly Understood and intended
By the Court and in all Cases where the first Summons are not
served eight days unclusively before the Court and the Cause
is expressly specified in the Warrant where Appearance is to be made
By the Party Sumoned it shall be at his Liberty whether he
will appear or not Excepting Cases that are to be handled in
Court suddenly called in Extraordinary occasions by special
Warrant.

Attorney

That no Justice of the Peace whilst he is in Com. be an Attorney in any case.

That no High Sheriffs Under Sheriffs High Constables or Petty Constables or Clerks in the Court shall be Permitted to Plead as an Attorney in any Pleas or Suits in the Court where no Officers are provided always that if any person not able to Plead his Cause shall request the Court to Assign him the High Sheriffs Under Sheriffs High Constables Petty Constables or Clerks to plead for him it shall be Lawfull for the Court to grant it and for the Person to plead Accordingly but the Person so pleading the poor mans Cause is not to give Judg^m provided also that any High Sheriffs under Sheriffs or High Constables Petty Constables or Clerks acting as Generall Attorneys for any Person absent out of the Country and negotiating their Affairs and soe Liable to be sued for their Employers such Persons shall have Liberty also to Plead and Prosecute in any Cases that shall in any way concern their said Employers.

Bailement.

As the Lawing and Delivering a man from Prison before he hath satisfied the Law by finding Surety to answer which is Justificable by Law.

The Person Bayled is to be Delivered into his Sureties Hands.

If the Sureties afterwards shall Doubt the Escape of the Prisoner Bayled a Justice of the Peace (upon Prayer) may discharge the Sureties and Commit the Party to Prison until he find other Sureties such as the Justice shall Accept.

To Bayle one not baylable is a Negligent Escape in the Justice of Peace or in any other Person authorized to take Bayle.

To Bayle one contrary to Law is finable which is to be Interpreted for Bayling Persons Comitted either by Speciall Warrant or for Capitall Offences.

Barratry

If any man be Indicted pressed and Judged a Common Barratour
by doing others with unjust frequent and needless Sutes it
shall be in the Power of the Court both to reject his Cause
and Punish him for his Barratry by fine or Imprisonment.

Ballast

That noe Ballast shall be taken from any Towns shires
by any Person whatsoever without Allowance under the hands
of the Constable and two Overseers upon the Penalty of Six
Pounds for Every Shovell full taken (unless such Stones as
as they had Laid there before) and that noe Ship or other
Vessel shall cast out any Ballast in the Channell or other Place
inconvenient in any Harbour within this Governmt. upon the
Penalty of ten Pounds.

Bills

That any Debt or Debts due upon Bills or other Specialty
Assigned to another shall be as good Asset and Estate to the
Assignee as it was to the Assignor at the time of its Assignment
and that it shall be Lawfull for the said Assignee to sue
for and recover the said Debt due upon Bill and so Assignor
as full as the Originall Creditor might have done Provided
the said Assignment be made upon the backside of the Bill or
Specialty or on some paper or Parchment Annexed to it.

Bond Slavery

Noe Christian shall be kept in Bond Slavery Villinage or
Captivity Except such as shall be Judged therunto by Authority
or such as willingly have sold or shall sell themselves in which
case a record of such Scuritade shall be Entored in the Court of
Sessions hold for that Jurisdiction where such matter shall
Inhabit Provided that nothing in this Law contained shall be to

10
The Prejudice of Master or Dame who have or shall by any Indenture
or Covenant take apprentices for Terms of years or Life and also
Provided that this Law shall not extend to Sell at Liberty any Negro
Indian Servant who shall Turn Christians after they have been bought
By any Person.

BOUNDS.

That Every Town shall Set out their Bounds within Twelve
months after their Bounds are granted and that when their
Bounds are Set out once in these years three of the Overseers
of the Town (appointed by the Next Justice) shall Appoint with the
Adjacent Towns (the Antientest to give Notice to the Neighbour
Towns to go the bounds betwixt their said Towns and Renew
their Marks.

The time and Ambulacion to be betwixt the Frontiers and Last
of Hobbys and at the Charge of Each Particular Town upon the
Penalty of five pounds for Every Town that shall Neglect the
same.

If any Particular mans Towns Lot or Lands Lying in Common with
Others and he shall refuse to go the bounds betwixt his Lands and
other mans ones upon being requested thereunto upon one Weekes
Warning he shall forfeit for Every day so Neglecting ten Shillings
one half to the Party Mousing there to and the other half to
the Town.

AND whereas many Contentions Sutes doe Arise about the
Bounds Limits and Titles to Lands appertaining either to Towns
or Particular Persons occasioned much through the Misskillfulness or
fraud of Pretended Surveyors.

App Prouision wherof for the future no Surveyor of Lands shall
give a Plan of any Lands Surveyed by him unto any other Person or
Persons whatsoever then such as employd him within six months after
such Plan is drawn according to the Survey and that one Plot do
be drawn describing the Bounds and Limits of the Towns shall be
Kept in the records of Each Particular Town and another Plot so drawn
delivered into the Clarke of the Court of Sessions to which that Town
Relates within seven months after the Survey shall be made.

All Lands Patents Bounds and Limits of Towns are to be Recorded in
the Office of Records at New York: as well as in Each Particular Town and
all the Sessions.

Brewers

That no Person whatsoever shall henceforth vend or
take the Cask or Works of Brewing Coors for Sale But only
such as are known to have Sufficient Skill or Knowledge in the
Art or Mystery of a Brewer that if any Vendor take for Vending
for Ships or other Vessels or Master or Owner of any such Vessel
or any other Person shall make it appear that they have bought
of any Person within this Government two pence worth of Coors
and useless for their Supply, either through the Insufficiency of the
Mault or Brewing or by any other Cause the Person brought thereby
shall be and is enabled hereby to recover Equal and Sufficient Damages
by Action against the Person that sell the Coors to Sale.

Births Marriages & Burials.

That the Names and Surnames of every Inhabitant within the
several Parishes within this Government shall be Registered and so
as not further inconvenience which may arise about the Age of the Place
the certain Marriages of men and women or the Deaths of Persons
imported into this Country whereof no Positive Certificate appears as
to the Age of one Marriage or another or Death of the other the
Minister or Towns Clerks of every Parish shall well truly & plainly
record all Births Marriages or Burials that shall happen within
their respective Parishes in a Book to be provided by the Churchwardens
for that Purpose and if any Master of a family or other Person concerned
shall omit the giving Notice to the said Minister or Towns Clerks of
the Birth Marriages or Death of any of him or them relating the Species
of one Month such Person for his Neglect shall be fined five Shillings
and the Minister or Towns Clerks shall ~~not~~ have for his Entry
of such Birth Marriages or Death four Pence and if the Minister or
Towns Clerks shall neglect Entirely the same as aforesaid he shall be
fined as aforesaid upon Discovery made thereof to the use of the Parishes
five Shillings also.

Burials.

Whereas the Private Burials of Servants and others gives
Occasion of much Scandal against several Persons and sometimes
and usually of being guilty of their Deaths from which if the Person
suspected be innocent they can be no vindication nor if guilty
no Punishment by reason they are for the most Part buried

Without the Knowledge or Consent of any Officers then such of the family
as by Appointment of the Coronor as Substant his or Child and Wifing or of
Servants and freefall to make discovery of murder or other crimes committed
criminally to himself and for the greater Decency of Burialls there shall
be in every parish within this Government one or more Places Appointed
according to the Patent of the Parish to be set apart and fenced
in for Places of Publique Burialls and before the Corps be Buried
there shall be three or four of the Neighbourhood called of which one
is to be one of the Overseers of the Parish who may in case of Suspicion
open the Corps and if none govt according to the Decent Customs of
Christianity they may Accompany it to the grave, and that no Person
whether free or Servant shall be Buried in any other Place than
those so appointed, unless such who by their own Appointment
in their Life time have signified their Desire of being Buried in
the Buriall Place of some other Parish.

Capital Lawes.

If any Person within this Government shall by Direct Express-impious
or Contumacious ways deny the true God and his Attributes he shall
be Put to Death.

If any Person shall Commit any wilfull and Premeditated Murder the
Like.

If any Person slayeth another with a sword or Dagger who hath not
Weapon to defend himselfe the Like.

If any man or woman shall Ly with any Beast or brute Creatures by
Carnall Copulation the Like, and the Beast shall be burned.

If any one slay or Cause another to be Slaine by Lying in waites
Privily for him or by poisoning him or any other such wicked Conspiracy
the Like.

If any man Lyeth with man Kinde as he Lyeth with a woman they both
shall be Put to Death unless the one Party were forced or seduced
fourteen years of Age, in which case he shall be Punished according
to the Discretion of the Court of Assizes.

If any man forcably Steale or Carrieth away any man or man Child
he shall be Put to Death.

If any Person bear false Witness Maliciously and on Purpose to
take away a mans life the Like.

If any man shall Treasonously deny his Maj. ^{Right and title to}
his Crown and Dominions or shall raise Arms to Resist his
Authority the Like.

If any Child or Children above Sixteen years of Age of sufficient Understanding shall smite their Natural Father and Mother or Law Parents Provoked and forced for their Selves Preservation from Death or Maiming at the Complaint of such Father and Mother and not otherwise they being sufficient Witnesses thereof that Child or Children so offending shall be Put to Death.

If any man Treasonously conspires or Publickly Attempts to invade the Liberties Any Towns or Counties North or South within this Government he shall be Put to Death.

If any Person within this Government shall Commit Burglary by breaking up any Dwelling house or shall rob any Person in the Field or Highways the first offence shall for the first offence be branded on the forehead for the second offence he shall be branded as before and severely whipped and for the third offence he shall be put to Death.

If any Person shall rob any Orchard or Garden or shall Steal away any Linnen Wollen or other goods Lost without doors or shall willfully deface or Spoil any Dwelling house or Out house or any Part thereof or any thing belonging thereto he shall pay Treble Damages or be whipped.

If any Person shall Steal from any Other any Cows Goods or Chables to the Value of Ten Shillings or upwards he shall be whipped or pay such a fine at the Court shall be adjudged to satisfy the Damages with the Costs and Charges of Court and it is also Left to the Discretion of the Court to Appoint Smaller Mults or Punishments for smaller Offences of that Kind.

That the Constables by Warrant from a Justice of the Peace or upon sudden Occasion without Warrant having with him the Staff of the office may make Search in any house or Place suspected both for the offender and for the goods stolen, and whosoever hearing his voice shall privately receive them, and shall not Legally Receive the offender he shall forfeit to the Publick use the goods so stolen or the Value of them.

Every married Man or Person who shall be found or proved by Confession of Party or sufficient Testimony to have committed Adultery with another man or Woman shall be Proceeded Against according to the Laws of England by Divorce, (if said) Corporall Punishment fine or Imprisonment.

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Every single Person or Persons who shall be found or proved
of the Confession of Parties or Sufficient Testimony to have committed
Fornicall Copulation with a married man or woman they both shall
be grievously fined and Punished as the Governour and Councell or
the Court of Assizes shall thinke most not Extending to Life or
and Member.

Cattle Corne Fences Fences.

Every Person Intereposed in the Improvment of Common fields or
any field inclosed for Cattle or other Necessary use from time to time
make and keepe his Parts of the fence sufficiently strong and in
Constant repairs to secure the Cattle and other fruits thereon and shall
not putt Cause or permit any Cattle to be put in so Long as any Cattle
or other fruits shall be growing or remaining upon any Parts of the Land
so Inclosed unless by some General Express Agreement of such as are
Intereposed.

And if at any time the Owners or Occupiers of any such Inclosed
cannot or do not Agree in any part of the Premises then upon due and
reasonable Notice given to the Constables and Overseers of the Town they
shall Appoint a convenient Time to heare and order such Differences &
to settle a Duoway of fences improving and Preserving such fields and
the fruits of them and who ever shall oppresse and transgress shall be
Liable to all Damages proved to grow thereby and to such further fine for
breach of Order as the Overseer shall Judge meet and the said Constables
and Overseers shall from yeare to yeare Appoint one two or more of the
Planters for all or each Common field belonging to the Town to view the
Dwell to view the Common fences within their Trust and to take due Notice
of the real Defect and insufficiency thereof and shall forthwith Appoint
Overseers with the same and if the said Owners or Occupiers do not at
Further within six dayes (or sooner if the said Constables or Overseers see Cause
and so Appoint) sufficiently repairs or cause the same to be repaired
he or they shall forthwith upon the Demand of the Overseer or Overseers
(besides their Just Damages) pay as a fine to the Town twelue Pence for every
Rood if there be a considerable quantity of such defective fences together
or for every single Defect in such faulty fences or the said Overseer or
Overseers taking due Witness of the Defect may) if it shall thinke convenient
forthwith repairs or renew them or cause them to be repaired or renewed
and shall have double recompence for the same to be paid (besides their
Just Damages) by the Owners or Occupiers of the said insufficient fences or
fences and in either case of payment be Denied or Delayed the said
Constables and Overseers shall Levy the same forthwith upon the Estate
of the Delinquent to the use of the Town or Overseers.

AND where Lands Lye in Common or Common if one man shall improve
his Land by fencing in several and others none improved shall not
be who shall improve shall fence that Land from other mens Cattle
Orally Cattle & Excepted, who shall Compell no man to make any fence
with him Except he also improve in several and where one man shall
improve before his Neighbour and so make whole fence of his Land
his Neighbour shall after improve he shall then satisfy the half the others
fence against him According to the Great Value and shall maintain
the same and the first man shall after Lay open his fence or Land
then the said Neighbour shall both enjoy the said half fence Purchase
and shall have Liberty to buy the other half fence against his Land
paying according to the present worth as it shall be valued by two men
the fourth chosen and the like Order shall be taken any man shall
improve Land against or adjoining to a Common Provided this
Extend not to those Lands in which if one shall improve his Neighbour or
Neighbour at a Compellable to make and maintain one half of the fence
between them whether he or they improve or not PROVIDED also that no
man shall be liable to Damages done in any ground not sufficiently fenced
and himself not interested in the defect of fence of some Party of it
Except the Damages were done by ~~Prohibitions~~ or Orally Cattle of any sort
in which case Swine are included which cannot be nor pained by ordinary
fence or where any shall Unwarily put in Cattle of what sort so
ever what colour or Proctor whatsoever or otherwise willfully trespass
upon his Neighbours grounds.

All Cattle and hogs shall be marked with the Publique marks of
the Town to which they belong and the Private marks of the Land
and when they are sold to any other Town the Purchaser shall save
the Towns marks of the place where he inhabits besides his own
Particular mark: to be set on over the marks of the Town from which
he bought them.

All those who shall have their Cattle marked with the Towns shall pay
to the officer that marked two pence by head.

All horned beasts shall be marked upon the Horns with the Towns
marks to which they do belong.

That whatsoever Swine or greater Cattle (horses Excepted) shall
be found in the Woods or Commons Unmarked are Liable to be seized and
sold either private or otherwise presented and brought to the owner
shall pay for each Swine Unmarked 3-4 of which half the fine to
the Pounder or Proctor and the Rest to the Constable and
prossors.

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But if the owner be not known or found Every such Swine or
Cows of a greater kind to be duly Cried that the owner may take
notice to claim his Interest and pay the fines and Charges but yet
if not owner be found then after the Appoyment by two Indifferant
men Chosen by the Constables and Overseers of the Place and the same
recorded in the Court of Sessions Sale to be made so far as the
fines and Charges may be fully paid and the remainder kept by the
Constables till the Owner be known and the rest of such Swine or
Cattle being first marked with a Publick Towne mark or brand with
some distinction from the mark of the Particular man to be again
turned into the Woods.

That no owner of Cattle of what kind soever after knowledge
or notice given that any Cattle of his whether horse other beast or
swine is unlawfully in respect of forests shall suffer any such to go either
in Commons or against the Statutes or other appropriated inclosed
grounds forests as aforesaid but shall either immediately keep them
upon his own ground within sufficient fence at his own or Purches
keep upon each of them such Shackles and fetters or yokes and Rings
as may sufficiently from time to time restrain and prevent the same
or shall pay all Damages and Charges whether in Court or otherwise
with hurt in other forests Expenses of time and both in catching penning
driving out and bringing home any such unlawfully Cattle of what kind
soever with such further fine for breach of Statute and Court Charges
if the Party be put to recovery it shall stand as the Court of Sessions shall
Judge meet.

For impounding of Cattle for trespass upon Grass or Meadow ground
for each head or Mare Bull or Cow above two years old to be paid
as aforesaid to the Constables &c.

For all calves and or two years old and for sheep or hogs or
head & body PROVIDED always that the said sheep or hogs be
taken in the trespass then to pay as aforesaid and not otherwise

Provided also that it shall be Left to the Peculiar Lawes of
Towneships to allow what more they shall think fit to give for the
impounding of Cattle then is before expressed.

Moreover the owners of the said Cattle sheep or hogs shall
pay just costs for the Marshment of them so impounded till they
be either bailed to answer or shall compound for the trespass before
it comes to the Court.

Although it be in the Constables Power yet he shall not
grant a w^ol^ou^o without two Overseers who are to take
Security to answer the Propane and if the C^ol^o impounded
be worth 5. or above the Anne shall pay 5. if under shall
pay 1. for the w^ol^ou^o but if the Party Damaged shall agree
with the Propane then to pay only for impounding as aforesaid.

CAUSES.

The charge of the Tryall of each cause shall be as followeth.
viz. every cause of or under 5. shall pay 2. 6. from 5. & under
10. from 10. and under 20. 15. from 20. under 40. 20. and
for every 10 more above 40. 2. 6. the m^ony to Layd is to
goe towards the defraying of Court Charges.

That all causes shall be heard Tryd according to their priority
of Entrance and if it shall happen that the Justices have Letters
and can dispatch the causes of which due entry was made before the
time of Sessions is expired it shall be Lawfull for the Justices to
hear and determine any other cause or causes Accions or Complaints
in as full and ample manner as if due entry had been made with
Parties being agreed to come to an Issue any thing to the contrary in
any other Law notwithstanding.

CHURCH

Whereas the Publick worship of God is much diserved for
want of painfull and able ministers to instruct the People in the
true Religion and for want of some synodical Places Capable to
receive any number or Assembly of People in a decent Manner for
celebrating Gods wholly Ordinances their ensuing Lawes are to be
observed in every Parish Church.

That in each Parish within this Govern^t a Church be builded in
the most convenient parts thereof Capable to receive & accomodate
two hundred Persons.

That such Churches shall be built within three years after the
first Generall Assizes to which end a towns rate may be made
to begin the first Year.

That for the Making and repairing the Lyeys and Altars
for building and repairing the Church Pews for the pious Mainte-
nance for the Ministers as well as for the managing of speciall affairs
in other Cases Express'd Eight of the most able men of each Parish to
be the Major part of the householders of the said Parish chosen to
be Overseers out of which number the Pastors and the aforesaid Eight
Overseers shall yearly make choice of two of the said number to be
Churchwardens and in Case of the Death of Any of the Overseers and
Churchwardens or his or their Departure out of the said parish the
the said Pastors and Overseers shall make choice of another to
supply his room.

Every overseer is to take the Oath of fidelity at the time of his
admittance into his office in the presence of the Minister Pastors
and Overseers of the Parish before the Oath of his office.

Is proud scandalous ignorant preachers to the Ministry from
suspecting themselves as teachers nor ministers shall be allowed to
be officiate within this Government but such as shall produce Testimonials
to the Governour that he hath received ordination either from some
Protestant Bishop or Minister within some part of his Maj^{ties} Dominions
or his Dominions of some foreign prince of the reformed Religion upon
which Testimonials the Governour shall induce the said Minister into the parish
that shall make protestation of him as duly elected by the Major parts of
Inhabitants Freeholders Householdors.

That the minister of each parish shall constantly Every Sunday Preach
and shall also pray for the King Queen Duke of York and Royal family
and Every person affronting or disturbing any congregation on the
Lords Day and such publique days of fast and thanksgiving as are
appointed to be observed after the presentment thereof by the Church
wardens to the Sessions and due conviction thereof he shall be punished by
fine or Imprisonment according to the merit and Nature of the offence
and Every Minister shall also Publicly Administer the Sacrament of the
Lords Supper Once Every Year at Least in his parish Church notwithstanding
the private benefit thereof to persons that for want of health shall
require the same in their houses under the penalty of Loss of Proficiency

None minister shall refuse the Sacrament of Baptisme to the children of
Christian parents when they shall be Presented under Penalty of Loss of
Proficiency

Ministers may marry Persons after Legall Publication or sufficient
Lycence.

Legall Publication shall be so Extremed when the Persons ^{to be married} are thes
severall Dayes Ask'd in the Church or have a speciall Lycence.

Sundayes are not to be Profaned by any Traudlers Labourers
or Vicious Persons.

That no Congregation shall be Disturbed in their Private Meetings
in the time of Prayer preaching or other Divine Service nor shall
any Person be molested fined or imprisoned for differing in
Judgm. in mat. of Religion who Profess Christianity.

No Person of a scandalous or Vicious Life shall be admitted to
receive the holy Sacrament who hath not given Satisfaction therin
to the Minister.

Church Wardens

That Church Wardens shall twice Every year (Or) on the second
day of the January to be hold in June and on the second day of the
February to be hold in December in open Sessions & Lists in a Court
Presentment in Writing of all such Misdoers as by their Knowledge
have been Comitt and not punished whilst they have been Church
Wardens namely Swearing Profaning Sabbath breaking Drunkenness
Fornication Adultery and all such abominable Sins the said Church
Wardens are also hereby empowered to cause any person upon whose
reports they ground their presentments to Appear at the Respective
Sessions to which the presentments are made to give in their Evidence
Concerning the same and the refusors shall be Lyable to be fined
at the Sessions.

Church Warden

~~Memorandum~~

Memorandum that the office of the Church Wardens say
in the Monition in this book is to be observed and Performed by the
Constables and all the Overseers or the Major Part of them who are
to take the Like Care as is required of the Church Wardens.

Charges Publicque

The Charge ~~vacation~~ of all officers Civill and Military to whom
noe fees and Expences granted and appointed shall be lawfully payed
out of the Comon Treasury in full and good payment or Resignation
to his or their Satisfaction.

That the high Sheriff for the time being shall from yeare to
yeare after the first Day of June 1685 send forth his warrants
to the High Constables of Every County within their Riding who
shall send warrants to the Constables of each Riding requiring
Each Constable to call together the Overseers of their Towns who
shall within foure months after the said first Day of June make a
List of all the male Persons in the same Towne from sixteen yeares
old and upwards and a true Estimacion of all Personal and reall Estates
being or reputed to be the Estate of all and Every the Persons in the
same Towne or otherwise under their Custody or Management according
to just Valuation and to what Person the same belong whether in their
owne Towne or other places soe neere as they can by all Lawfull wayes
and means which they may use. (Viz) of Warehouses, Langes, Hall
ports as well unbroken up as other (Except such as both or shall be
Comon for feede food of Cattle to the use of the Inhabitants in Generall
whether belonging to Townes in generall or particular Persons but not
to be except or boord upon to the Damage of the Burialles, Mills, Shoppes
and all Smale Cowles Marchantable goods, Cretes, waies, and all sorts
of Cattle and all other knowne Estates whatsoever as also all Cattle
Estates whether at Sea or on Shore all which Persons and Estates are by
the said Constables and Overseers to be Assesed and rated as here follows
Viz) Every person aforesaid Except such as by Law are Exempted
Eighteen poynds and for amores Certaine Cattle in Valuing of Cattle
Every Cow of foure yeares old shall be valued at 5. Every heifer and Steer
between thre and foure yeares old 4. and between two and thre old 2-10
and between one and two yeares old 1. Every Ox or Bull of foure yeares
old & upwards 6. Every horse & mare of foure yeares old and upwards 12
of three yeares old and upwards 8. Between two and three yeares old 5
of one yeares old and upwards 3. Every sheep of three yeares old 6-8
Every goats about one yeare old 2. Every Swine about one yeare old
one pounde and all Cattle of all sorts under anye age old and howe by
Exempted, as also all hay and Corn in the Custardians hands
because all meadow Grasse Land & Cattle are ratable as aforesaid.
That all such persons as are disabled by Sicknesse Lamenesse or other
infirmities shall be exempted and for such Servants or Children
take not wages their Parents and Masters shall pay for them but
such as take wages shall pay for themselves.

That the Constables of each Town do bring into the High
Constable of their Riding fairly written the Just Number of
Males Lists as aforesaid the Assessments of Estates made in their
severall Towns according to the Rules and Directions Expresses
and that the High Constable do returne the same to the High
Sheriffe who shall duly and Carefully Examine all the said Lists
and Assessments of the severall Towns and shall correct & perfect
the same according to the true Intent thereof and the same do
locked to Transmitt under his hand before the Expiration of his
Office to the Govern

That every one shall pay their rates to the Constable of the
Town where he shall be Assessed nor shall any Land or Estate
be rated in any other Town but where the same shall Lye is or
was improved to the Owners reputed Owners or other Proprietors use
or behoofs (if it be within this Government) and for Peculiarities (viz)
such Places as are not yett Layed within the bounds of any Town the
same Lands with the Persons and Estates thereupon shall be Assessed
by the rates of the Town next unto it the Measure or Estimation
shall be by the distanced of the meeting houses.

Memorandum that Shollows Island and Gardners Island Lying
at the East End of Long Island are Excepted out of this Govern-
ment their Inhabitants being only and Implicitly accountable to the
Governor for their rates.

And if any of the Constables High Constable or the High Sheriffes
shall wilfully fail or neglect to performe the Trust Comitted to
them in not making Correcting Perfecting or Transmitting the said Lists
or Assessments according to the true Intent of this Law every such
offender shall be fined 40. for every such offence or so much as the
Country shall be Damished thereby soe as it Exceed not 40. for one
offence Provided that such Offences be Complaind of and Prosecuted in
due Course of Law within Six Months.

That upon all Distresses to be taken for any of the Rates and
Assessments aforesaid the Constable shall Distress goods or Chatties
if they be had and if no goods then Land or houses if neither goods
Lands nor houses can be had within the Town where such Distress
are to be taken then upon returns to the High Constable and from him to
the High Sheriffe he shall give warrant to attach the body of such Person
or Persons Except they put in Security for their Appearance. Thus

To be Carried to Prison there to be kept till the next Court of Sessions
if Payment be not made in the mean time.

That the Prices of all sorts of Rents to be received upon any rate shall
be according to the Prices at the same and Place where it is Payable and
that all Rents rates shall be made after the same manner and by the
same rate and not otherwise than is here before Expressed.

That if any Constable shall not have gathered the Levies permitted to
his Charge during the time of his Office he shall notwithstanding the
Expiration of it have Power to Levy by Distress all such Rates and
Levies and if he bring them not into the High Constable according to
his warrant the High Constable shall Distrain such Constables goods
for the same; and if the High Constable shall neglect his Duty therein
then the High Sheriff shall Distrain upon the High Constable and if
the High Sheriff neglect it he shall be answerable for the same
if the Constable having made his Levy prove Insolvent and is not
able to make payment upon Complaint made and Notice thereof by
the High Constable to the High Sheriff; it shall be Lawfull for the
High Sheriff (old or New) respectively to Distrain any man or men
of that Town where the Constable is unable for all Arrearages of
Levies and that man or men upon Petition to the Generall Court of
Assizes shall have Order to collect the same against equality of the
Town with Just Damages for the same.

That the Constable shall appoint a day and Place and give reasonable
warning to the Inhabitants to bring in their proportions upon which
Every man so warning shall duly attend to bring in his rate or upon
neglect thereof shall forfeit a penny the shilling for what he owes thereto
and the said Constable shall have Authority hereby to Distrain the
Delinquents or be Accountable themselves for the rates and penalties
so neglected by them.

That all the Plantations within this Government after the Publishing
hereof shall be fully Comprehended within this Law.

Children & Servants.

The Constable and Overseers are strictly Required frequently
to admonish the Inhabitants of Instructing their Children & Servants
in Matters of Religion and the Laws of their Country and that the
Parents and Masters do bring up their Children and Apprentices in
some honest Lawfull Calling Labour or Imployment and if any Children
or Servants become idle Stubborn or Contumacious so that they
be the Object of their parent or Master the Constable and Overseers shall
not Justice of the Peace shall happen to dwell within four miles of the
said Town or Parish have Power upon Complaint of the

Parent or Master to call for them such as to find out to
inflict such Corporal Punishment as the Merit of the fact
their Judgment shall deserve not exceeding ten stripes -
Provided that such Child or Servant be within years of age.

Chirurgians Midwives Physicians

That no Person or Persons whatsoever Employed at any time
about the Bodies of men Women or Children for Preservation of
Life or Health as Chirurgians Midwives Physicians or others to
Exercise or put forth any Act contrary to the known Approv-
ed of Art in such Mystery or Occupation nor Exercise any force
violence or cruelty upon or towards the Body of any Man or woman
or Child without the Advice and Consent of such as are Skillfull in
the said Arts) if such may be had or at Least of some of the
Wisest and greatest Men of the said Consent of the Patient or
Patient's) if they be Montiscopolory Much Less contrary to such
Advice or Consent upon such Excess Punishment as the Nature
of the fact may deserve which Law notwithstanding is not Intended
to discourage any from all Lawfull use of their Skill but rather to
encourage and direct them in the Right use thereof and to inhibit
and restrain the Presumptuous Arrogancy of such as through Confidence
of their own Skill or any other sinister Respects dare boldly
Attempt to Exercise any Violence upon or towards the Bodies
of young or old men or women to the Prejudice or Hazard of the
Life or Limbs of man Woman or Child.

Constables

That the Constables shall whip or Punish any one to be Punished
by order of Authority where there is not another Officer Appointed
to do it in their own Countie or City: they can get another
Person to do it.

That any and every Person traded to any Constable of this
Government by any other Constable or other Officer belonging to
any Jurisdiction within this Government or by Warrant from any
Justice shall be Presently received and conveyed for the same
Constable to Constable till they be brought to the Place to which
they are sent or belong some Justice of the Peace who shall
Appoint of them as the Justice of the Peace shall require and all
such Warrants shall be duly observed and diligently Pursued by the

Effect, any who are no Justice of the Peace is no more, Every Constable
shall have Power to make Signe and Put forth warrants and Pursue
and arrest after murderers Manslayers Thieves Robbers Burglars
and other Capital Offenders as also to Apprehend without Warrant
such as are taken with Drink: Suppling Sabbath breaking
Wagrant Persons or Nightwalkers Provided they be taken
in the manner either by the Sight of the Constable: or by Print
in formation from others as also to make Search for all such
Persons either on the Sabbath day or other tyme they shall be
Occasion in all houses Licensed to sell either wine or ale or
any other Suspected or disorderly Places and there to Apprehend
and keep in Custody till opportunity serves to bring them before
the next Justice of the Peace to further Examination Provided
that any Constable when he is employed by any Justice for Apprehending
any Person he shall not do it without Warrant in Writing and
if any Person shall refuse to assist any Constable in the Execution of
his Office in any of the things aforesaid being by him required
therein he shall pay for Neglect thereof so to the use of the Crown
of which he is Justice to be Laid by warrant from any Justice
before whom such Offender is brought and if it appears by good
Evidence that any shall wilfully or Contumeliously refuse or
neglect to assist any Constable as is aforesaid Expressed he shall
pay to the use aforesaid forty shillings and that no man may
plead Ignorance for such Neglect or refusal Every Constable
shall have a staff of a foot six foot long with this Device
arms of it as a Badge of his Office in which Staff shall be provided
at the Charge of the Crown and if any Justice of the Peace Constable
or any other upon Urgent Occasions shall refuse to do their best
Endevour in catching and Prosecuting Thieves Fugitives by foot and if
needed be by horse after such as have Committed Capital Crimes
they shall forfeit for Every such Offence to the use aforesaid
forty shillings

The Constables and any two Overseers may take bail for any
Person arrested within their Precincts if not in Execution or
Committed by special Warrant.

That Every Constable within this Jurisdiction shall on the Penalty
of 5 Shillings clear up all his accounts with the High Constable for all
the more ancient fines or what other publick Monies or goods he
shall receive one whole month before the Expiration of the Year
of his Office and they and every of them are empowered to pay:

Books or Cartes for the more speedy and better serving in
what they have so collected according to the tenor appointed
and if any Constable shall not have collected the said fines
and Amerciaments committed to his charge by the High Constable
during the time of his office that he shall notwithstanding
the expiration of his office have Power to Levy by Distress
all such fines and Amerciaments committed to his charge
by the High Constable during the time of his office
and if he bring them not into the High Constable according
to his warrant the High Constable shall distrain such
Constable's goods for the same.

The Constable of each Town during his office may furnish
the Indians with such quantity of Powder and Shot as may be
thought necessary for their Defence of their Lives and Possessions
and also may permit them to have their guns loaded the
said Constable giving their Account of what is so furnished
permitted by him to the Indians at every Sessions
Constables shall be chosen in all Towns upon the 3rd or 4th Day of
April yearly by the Plurality of Voices of Freeholders in each
Town that it is to say one of the 4 Overseers into whose Places
now ones are chosen for the ensuing year shall be chosen to
officials as Constables within their Towns whose Names and Fees
shall be presented by the Old Constable and Overseers to the next
Sessions ensuing there to be confirmed by the Justices of the Peace
by taking the Oath appointed for Constables.

That whosoever being duly elected shall refuse to serve in
the Office of a Constable he shall forfeit for his refusal 5^s.
towards the defraying of Towns Charges.

Memorandum that in regard of the distance of the Inhabitants
of North Sea from the Town of Southton to which it doth belong
there shall be a deputy Constable appointed with Power to keep
his maj^{ty} Peace, and to execute such Warrants and Orders as he
shall receive from his Superiours

Conveyances Deeds & Writings,

That henceforth no Sale or Alienation of Lands and Tenements
shall be holden good in Law except the same be done by Deed in
Writing Under hand and Seals and Delivery and Possession given

18
in Parts in the name of the whole by the Seller or his Attorney so
authorized under hand & Seal. On Lawe the Said Good be acknowledged
and recorded according to Law.

That all deeds and Conveyances of houses and Land with this
Government Wherem an Estate of Inheritance is to Pass it shall be
Expressed in those words or to the Like Effect (Or) to have and to
hold the said house and Land respectively to the said Party or
granted his heirs and Assignes for ever or if it be an Entailed
Estate then to have and to hold the said house and Land use
to the Party or granted and to the heirs of his body Lawfully
begotten between him and such a one his wife or to have and
to hold to the granted for Term of Life or for many years.

Provided that this Law shall not include former Deeds and Convey-
ances but Leave them in the same Condition as they were or shall
be in before this Law takes Effect which shall be from the Publication
hereof Provided also that this Law shall not extend to houses
or Land given by Will or Testament or to any Land granted or
to be granted by the Inhabitants of a Town.

That no Conveyance Good or Promise whatsoever shall be of
Validity if it be obtained by force or violence imprisonment or
any kind of forcible Compulsion called Duress.

All Conveyances of fraudulent Alienations or Conveyances of
Land Tenements or any hereditaments shall be of no force or
Validity to Defeat any man of his due debts or Legacies or from
any just title Claim or Possession of that which is so fraudulently
Conveyed.

That after the Expiration of the time a foresaid no Mortgage
Bargain or ^{sale} Grant of any house Land rents or other heredita-
ments where the grantor remains in Possession shall be of force
Against any other Persons Except the grantor and his heirs
Unless the same be acknowledged before some Justice of the
Peace or Superior Officer in the Government and Recorded as is
hereafter Expresssed and that no Bargain Sale or Grant
already made in any way of Mortgage whether the Grantor
remains in Possession shall be of force Against any other but
the grantor or his heirs Except the same shall be Entered
as is here Expresssed that is to say within one month after the
Date aforesaid if the Party be within this Government

or Else where within 3 miles after he shall returne and if
any such grantor being required by the grantee his heirs or
assignes to make an Acknowledg^{mt} of any grant Sale bargain
or Mortgage by him made shall refuse so to doo it shall be
in the Power of any Justice of Peace to send for the Party so
refusing and commit him to Prison without bail or mainprise
until he shall Acknowledge the same.

AND the grantee is to Enter his Caution with the Clerke of
the Court of Sessions and this shall save his Interest in the
Mortgage and if it be doubtfull whether it be the good or
grant of the Party he shall be bound with Sureties to the next
Court of Sessions and the Caution shall remaine good as aforesaid

AND for the recording of all such grants Sales and Mortgages
that the Clerke of every Session shall Enter all such grants
Sales bargains Mortgages of houses Lands Rents and
hereditaments as aforesaid together with the names of the
grantor and grantee thing or Estate granted as also the date
thereof.

Continued

That no man condemned to dye shall be put to Death
within four Days next after his condemnation unless the
Governour his Speciall Com^{ds} to the contrary or in case of
Marshall Law and the Prisoner Executed shall be buried Neare
the Place of his Execution.

Courts

That the name of the severall Courts to be hold in Each
County 3 times in the year shall be called the Courts of
Sessions.

And whereas there is great respect due and by all persons
ought to be given to the Courts which soe nearely Represent
his ROYAL HIGHNES person and that such Order gravity and
Decorum which doth manifest the Authority of a Court may be
maintained these rules and forms following are to be observed
both for the beginning Continuance and Proceedings in the
said Courts.

The Courts of Sessions are to begin in the East Riding the first
Tuesday in June in the North Riding the 2 Tuesday and the third
Tuesday in the West Riding.

The Second Courts of Sessions shall be hold the first Second
and third Wednesdays in December.
And the 3^d Sessions to be on the first Second and third Wednesdays
in ~~March~~

The Sessions in Each Riding is to Continue threewayes if
needs require at Every Meeting but no longer

That the Sessions in the East Riding be Keep by Juries in
the Towns of Southampton and Southold.

The stile of the Court to be Entered thus

At a Court of Sessions hold att ^{in the} Riding of
Yorkshire upon Island the ^{day of} by his Royall
High^{ness} Authority in the ^{years of the} Reign of our Sovereign
Lord Charles the Second by the grace of god King of King
of great Brittain France and Ireland Defender of the faith
and in the years of our Lord God ^{Present}

Inset the name of the Governour

Silence Comanded

When Lott the Cryer or Under Sheriff mak: proclamation and
say Oyez Oyez Silence is Comanded in the Court whilst his
Royall High^{ness} Governour Councill and Justices are sitting upon
pains of Imprisonment. Failures to Appear.

After Silence is Comanded Lott the Cryer mak: Proclamation
saying All manner of Persons that have any thing to do at the
Court draw neare and give your Attendance. and if any one
shall have any plead to Enter or suite to Prosecute Lott them
Come forth and they shall be heard.

When Silence is thus Comanded and Proclamation mad: upon
calling the docket the Cryer shall call for the P^lt.

calling for the P^lt.

A. B. Come forth and Prosecute thy Decon against C. D. or
E. F. thou wilt be Non Sued.

And the P^l putting in his Declaration the P^ror shall call
for the Defendant.

Calling for the Def^t.

C. D. come forth and save thee and thy heirs or Els: thou
shalt forfeit thy Recognizance.

for Proceedings in the said Courts

Warrants are to be issued by the Clerks in the name of the
Courts.

Whosoever shall speak in negation of the Sentence or Judgment
of any Court he shall be fined at the Discretion of the Next
Court of Sessions or Assizes.

Præcels.

Any Person who shall be Sworn of the Council to the
Governour shall in any place within this Government have in all
Respects the Power of the Justices of the Peace and in any Court
of Sessions may sit as President.

Defamation.

That no Action shall be Admitted for Defamation in any
Court where the Words are not Actionable, and no Words shall
be esteemed Actionable but such as if true might have brought
the Person to suffer Punishment by Law any other shall be cast
out of the Court and the P^l to be nonsuited and because Offences
of this Nature may be speedily determined Any Justice of the
Peace is hereby Authorized and Empowered to hear and
determine them and likewise to bind the Persons so offending
to their good Behaviour or if he find not good Security for the
same to Commit them to the Prison till they find it.

Distracted Persons.

That in regard the Condition of Distracted Persons may
be both very chargeable and troublesome, and so will prove
to great Burthen for one Town alone to bear Each Town
in the Riding where such Person or Persons shall happen
to be, to contribute towards the Charge which may Arise
upon such Occasions.

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Dowries.

If any woman shall casually absent her selfe from her husband of which he shall make Complaint to the Court of Sessions if upon a certaine time given her by the Court she shall refuse to returne she shall forfeit Dowry & dower her husband shall afterwards upon a new Agreement confirme the same.

Fasting Dayes and Dayes of Thanks giving to be Observed.

Whereas by an act of Parliament the fifth Day of November is to be Observed from the great Solitude from the Gunpowder Treason and whereas by another Act of Parliament the 30 Day of January is Annually to be Observed with fasting and Prayer in all his Maj^{ties} Dominions to shew a hearty and serious repentance and Detestation of that Barbarous Murder committed upon the Person of our Late King Charles the first whereby to divert Gods heavy Judgments from falling upon the whole Nation as also by an other Act of Parliament we are Enjoynd thankfully to Acknowledge the Providence of God upon the 29. Day of May for his Maj^{ties} Birth and Restauration to the Throne of his Ancestors whereby Peace and Emity is Established throughout all his Maj^{ties} Dominions Every Minister within his severall Parish is Enjoynd to pray and preach on those Dayes.

All other Persons are also Enjoynd to Abstaing from their ordinary Labour & Callings according to the true Intent of the said Acts.

Fees.

The fees of a Justice of Peace.

For warrants of appearance to answer all sorts of Accions at the Court or binding over to the Sessions or a Sides for the Good & Behaviour. ————— 2-6
Upon Pleint of Debt or Damage ————— 1-6
Upon Comon Accions as Slandres and the Like ————— 1-6
Upon Supra for each Person ————— 0-6
Nothing to be payed for warrants in Criminall and Capitall Cases.
Noe Fees for doing his office as a Justice upon the Bench

2000

The first part of the book is a history of the
country from the first settlement to the present
time. It is a very interesting and useful
work, and is well adapted for the use of
schools and libraries.

History of the State of New York

The second part of the book is a description of the
country, and is divided into three parts. The first
part is a description of the general features of the
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The Fees of the High Sherriffe

The Sherriffe shall have of the ^{Pl^{ty}} upon all Arrests
 whether by Bill writ or warrant ————— 1 - 6
 Upon Every Execution that shall be served if under
 one hundred Pounds for Each pound ————— 1 - 0
 for what shall be above one hundred Pound for Each
 Pound ————— 0 - 6
 for receiving the assessments Amorician^{ty} and fines
 from the High Constables & paying them into the Treasury ^{of the King} } 0 - 6
 for the Sherriff's warrant to Summons & Impanel a Jury } 1 - 6
 for Each Cause —————
 And for further Troables not herein Expressed Other
 Reasonable fees shall be allowed by the Court
 Moreover the Sherriff's fees in Appeals shall be the same
 as in Other Accions

The High Constables & Under Sherriffs Fees.

for receiving the assessments Amorician^{ty} and fines from
 the Petty Constables and paying them into the Sherriff's ^{of the King} } 0 : 6
 Pounds —————
 for Every Judgment in Court or Verdict ————— 1 : .
 for the Sumoning or impaneling of a Jury ————— 0 : 4

The fees of a Petty Constable

for taking of the assessments Amorician^{ty} and
 fines and paying them into the High Constable's ^{of the King} } 1 : 0
 Pound —————
 for a Watch^{man} or apprehension of goods distrained ^{of the King} } 0 : 12
 Pound —————
 for Arresting upon Comon Accions the ^{Pl^{ty}} to pay him — 1 : 6
 No fees are to be payd for Executing of Special
 warrant or apprehending Criminals or Capitall offenders
 but to be done Ex officio.

The fees of the Corke of the Courts of Sessions who is also Corke of the Drift.

for Entering of Every Accion for tryall ————— 2 . . 6
 for Entering and recording bargaine or Sale of Land } 2 . . 6
 or houses tenements or Chattels if under 20 Lires - }

For Every 12 Lines more	0	1	6
For Entering a will or admicon for him self if under 40 Lint	2	11	6
For Every 12 Lines	0	11	6
For the fee of the office of Record for which he is to	3	2	6
Be accountable for			
For Entering a Judgment of Court	3	11	0
For an Execution	1	11	0
For Entering an Order of Court	1	11	0
For the Copy	1	11	0
For Entering a Deposition	1	11	6
For Entering an Attachment	0	11	6
For Entering a Petition			
For Entering and Recording Any Other business. Orphans	2	11	6
Excepl. for the first and second Pages	0	11	6
For Every Pag. more			
For Licenses to Inventors and Victuallors	2	11	6
For a Certificate	1	11	6

The fees of the Clarke of Assizes.

That all Charges of Officers or Attendants upon Assizes at the Assizes shall be double to those of the Sessions and to be Laid in the same manner

If any thing shall be done by the Clarke of the Assizes or Clerk of the Court of either Court more than what is here expressed the Justice are to Adjud. them a fine for either at the Sessions or Assizes according to his merit for Guilt or Paynt Taken.

The fees of the Court.

For Returning Appeals to the Assize with all the Circumstances whereof the Court of Sessions hath taken cognizance towards the Breking of Court Charges 6 11 8
 For the Copy of the Appeal: & Causes 2 11 6
 Court fees are either to be Payd to the High Sheriffs or the Clerk of Assizes or Sessions who are to be accountable for them
 all Court fees are to be Laid by distress or put into the Execution with the Debt and Service.

Memorandum that no warrant are to be Issued by the Clerk of any Court but in the name of the Court.

The fees of the Clerk of the Court

For Calling the Jury for each Cause 1 11 0
 For Swearing Every Witness 0 11 1

For a Non-suit	8	0
For non appearance of witness upon Summons	3	0
For Every Verdict	0	4

The fees of the Marshall

For receiving into Ward	1	0
For Every Verdict brought in whilst the Court sits	0	6
If the Jury stay together all night for the delivery of the Verdict	2	6
For Whipping	2	6
For Pillory	2	6

It is to be the Marshall's care to provide a convenient room for the Jury to retire into.

The Marshall is to receive no Prisoner but such as are committed by warrant Excepting only in such present Occasions where a warrant cannot be duly obtained Provided that he shall not refuse any Prisoner brought to him by any known Officer the said Officer obliging him self to deliver in a warrant to the Marshall for his detaining within twenty four hours.

The ordinary rate and allowance for the Diet of Every Prisoner to the Marshall shall be of them Eight pence and he shall demand no more.

Provided always that any Prisoner for his better Accommodation either of Lodging or Diet may agree with the Marshall upon a further price.

Fornication

If any man Commit fornication with any single woman they shall be Punished by Enjoining marriage fine or Corporal Punishment or any of those according to the discretion of the Court.

Surgery

If any Person or Persons whatsoever shall forge any Oath or Subornance Testimony and Bill of Sale Acquittance Letter of Attorney or any Writing to Pervert Equity he shall stand in the Pillory three several Court days and render double Damages to the Party wronged and also be disabled to give any Evidence or Verdict to any Court or Magistrate.

Fines or Burnings

If any Person or Persons whatsoever shall set on fire any Dwelling house Church or Manse house Barn or Stable Stock Play

Person or herd and such like combustible. - Malice Maliciously and
Unlawfully he shall be committed to Prison there to Remain without
Bail. till the next Sessions where if convicted by Proof or
Confession of the Prisoner he shall remain in Prison till the next
Assizes there to receive Judgment to death or make full Satisfaction
out of his Lands goods or Chattels to the Party or Parties
damaged according to the good discretion of the Bench.

If any Person whatsoever shall Kill - any Deer in the woods
or grounds lying in Common or in his own Grounds soe as the
same shall run into any other grounds or Inclosures of his
neighbour he shall be Liable to pay all Damages of what sort
soever and half so much more for a fine if not able to pay the
Court shall Adjudge the Person Guilty to Corporal Punishment not
Exceeding twenty Stripes or to soe long Imprisonment to Expiate the Crime.

Fugitives.

Every Apprentic or Servant that shall Depart or Absent
himself from their Masters or Damors without Leave first
obtained shall be Adjudged by the Court to double the time of
if such their Absence by future Services over and above other Damages
and costs which the Master or Damor shall sustain by such
unlawfull Departure and whosoever shall be Proved to have Trans-
ported or to have Contrived the Transportation of any such Appren-
tic or Servant shall forfeit twenty pounds to the Master or Damor
and be fined five pounds to the Court and Every Inhabitant that
shall harbour or Entertaine such Apprentic or Servant knowing
that he hath Absented himself from his Service upon Proof
thereof shall forfeit to the Master or Damor 10 for Every week
Entertainment or Concealment.

If any Master of Shipp or Burrell shall Transport or Carry away
any Freeman whether Merchant or householdier that is or shall be
Indebted here without Pass or License he shall be Liable to Satisfie
the Debts of the Person soe Transported unless the same be
otherwise Satisfied or that such Merchant or householdier doe
returne againe into the Government and appear to Answer in
Court with the space of Six months after such Absence.

Corses & Mares.

That Every Towne within this Government shall have a
marking Iron or Mark by and for themselves in particular to
Distinguish the horses of one Towne from another besides which
Every owner is to have and mark his horse or horse with

his own Particular flesh brand having some distinguishing
mark: that one mans horse may be known from another
AND that in Every Town there be an Officer appointed by
the Constable and Overseers to Record Every mans Particular
mark: and to see Each Particular horse mark: or Coll brand: and
to take notice and record: the age of Each of them as near as
he can with the Colour and all observable marks: whether
Natural or Artificiall and what Artificiall Markes it had
be: for: the Branding whether on the Ear or Else-where with
the year and day of the month when brand: and in Each
Town: the Officer for his Fee and pain: to have Six pence of
the Owner of Each horse: mark: or Coll for brand: & Record:
and that any one that hath any horse: or horses of what
age: or kind soever doe duly observe this order at his Perill
And when any horse: mark: or Coll: is to be sold to any other Town:
the Purchaser may if he please Cause the Town: mark: of the Place
where he Inherits besides his own: Particular: to be put on or over
the mark: of the Town: from which he bought them.
The Officer is also to Enquire: after as Satisfying Evidence: of his
Right who puts any such horse: mark: or Coll: as may be hid or to
record any defect of due Evidence: that may be open to other
Claim:.

To prevent the frequent abuse: of Stealing and Killing other mens
horses and Cattle: by the true Owners seldom: or never know:
what is become of their horses and Cattle: nor man of what quality -
soever he be shall sell Steal: or give any horse: mark: or Coll: not
marked as is Else-where directed unto any other Person whatsoever -
under the Penalty of five Pounds to be payed by him that sells and
also by five Pounds by him that buys: which horse or mare Ox: or
or Bull though marked shall be Registered in the Town: where the
Property is changed within twenty four hours with the names of the
Persons and their Places of Habitation under the Penalty of five
Pounds to be payed by Each Party concerned therein as buyer or seller
Neither shall it be Lawfull for any man to kill any Cow Ox: or Bull
or such Like Cattle: either for Sale: or for his Private use before
he gives notice thereof to the Persons appointed for that purpose to
Register such matters and a due Entry: made thereof with the
names of the Owner and marks of the Cattle: under the Penalty of
forfeiting the whole Cow Ox: or Bull: he doe find whereof due
notice to the Informer the other halfe to the Constable & Overseers
and the Officer is to have for his Entry: two Pence: of the said.

Impresses.

That in all Publique Workes for the Safety and Defence of the Government or the Necessary Conveyance of Bridges & High Ways and Common Passages the Governour or Deputy Governour and Councell shall send Warrants to any Justice or Justices to any Constable of the next Town or any other within that Jurisdiction to send so many Labourers and Artificers as the Warrant shall direct which the Constable and his Overseers or more of the Overseers which the Constable shall Chuse shall forthwith Execute and the Constables and Overseers shall have Power to give such wages as they shall Judge the work to deserve. Provided that no Ordinary Labourer shall be Compelled to work from home & to goe to work together.

No man shall be Compelled to any Publique work or Service unless the Power be grounded upon some known Law of this Government or an Act of the Governour and Councell Signifying the necessity thereof in both which Cases a Reasonable Allowance shall be made nor shall any man be Compelled in Person to any office, work, labour or any other Publique Service that is necessary and sufficiently Exempted by want of years of Age, or of years of Age, or of mind, failing of Senses or Impotency of Limbs or by the Equality of his Office which is Elsewhere Expressed.

No man shall be Compelled to goe out of this Jurisdiction upon any of the said Warrants but only in such vindictive & defensive Wars as in our Own behalf or in the behalf of our Nation against the Common Enemy shall be Intreprised by the Governour with the Advice of his Councell or by the Authority derived from the same nor shall any mans Cattle or goods of what kind so ever be taken or taken for any such Publique Service or use unless it be by Warrant grounded as aforesaid nor without such reasonable Satisfaction as the Ordinary value of the Cattle both afford and in case any Cattle or goods shall Perish or be Damified in such Service the Charge shall be recompensed.

Inkeepers & Ordinaries

No Person or Persons shall at any Time Under any Paines or Penalty whatsoever Undertake to be a Common Victualler Keeper of a Cooks Shop or house of Common Entertainment or Publique Sale of Wine Beer ale or Strong Waters by retail or a Load quantity then a quart or less without a Certificate of his Good

behaviour from the Constable and two Overseers at Least
of the Parishes where he dwells and a License first obtain'd
Under the hands of two Justices of the Peace in Sessions next
Pairs of forfeit of £⁵ for every such offence or Imprisonment at
the discretion of the Justices Provided always and it is to be
Understood that no man is hereby hindered from buying for his
private use any quantity of Liquors and it shall and may be lawful
for any person to sell such quantity of Liquors to him so that
he do not sell it againe by retail without a License.

That Innkeepers or Ordinary Keepers shall not be obliged
to put any Alehouse quantity of malt into their Boords but
they shall not sell their Boords for above two pence for quart nor
any Liquors at or about twelve shillings of gallon under the
Penalty of 20 for each Gallon so sold.

It is Premised to sell Boords out of Boords at a Price the six
quart or under.

That if any Complaint be made to the Officers of a Towne against
any manne Drinking of Liquors at too unreasonable and
extraordinary rates they have Power to give redress therein
No Licensed Person shall suffer any to drink - Excepting
at unreasonable hours after nine of the Clock in the evening or
about any of those hours Under Penalty of 2-6 for every such
offence if Complaint be made thereof.

If any Quarrell or disorder doth arise from in temperate Persons
within those houses the Person so Licensed not signifying the
same to the Constable or one Overseer at the Least who are
authorised to cause the Peace to be kept shall for every such
neglect forfeit ten shillings and every Person found drunk
in or about any of the said houses shall forfeit 2-6 and for
being the Author or accessory of the breach of the Peace or disor-
der or Drunkenness at unreasonable hours shall forfeit ten shillings
and for want of Payment or in Case they be absent and neglect
their Masters Obligations they shall be sold in the stocks in hours
at the Least.

It shall be lawful notwithstanding for all Licensed Persons to
entertaine Land Travellers or Travelling men in the Night season
whenever they come on their way or from their Journey for their necessary
Refreshment or towards their Preparation for their Journey or
voyage - And also all Strangers Lodgers or other Persons may
lawfully continue in such houses when their Lawfull Occasions
of Business doth require Provided they be not disorderly
amongst them.

25
Every Person who Licens'd for the Entertainment of Strangers
with their houses shall Provide one or more Inclusiones for Summer
Day and Provender for Winter with convenient Stable room and
abundance of Beer the Penalty of 2-6 for Every Day of default
and double Damages to the Party thereby wronged.

N^o C. Licens'd Person shall Unreasonably Exact upon his guest
for and forer of Entertainment and no man shall be compell'd to pay
Eight Pence of Money with small Beer only (unless the guest shall
make their Agreement with the Person so Licens'd.

N^o C. Licenses shall be granted by any two Justices in the County
for above the term of one year but Every Person so Licens'd
before the expiration of the said term shall and at her by en-
joyned to repair to the Sessions of that Jurisdiction for renewing
their several Licenses for which they shall pay to the Clerks of the
severall Sessions two Shillings Six pence or else they shall
forfeit five pounds as Unlicens'd Persons.

All offences committed against this Law shall be determined by
the Constable with two or more of the Overseers who are Empowred
to Collect and receive the severall Rates or Duties in case of non
Payment rendering account thereof as is else where Required.

Indians

N^o C. Purchas of Lands from Indians after the first day of
march 1664 shall be Estimated a good title without Law first
had and obtained from the Governour and after Law so obtained
the Purchaser shall bring the Sackem and right Owner of such
Lands before the Governour to acknowledge Satisfaction and Payment
for the said Lands whereupon they shall have a grant from the
governour and the Purchaser be made and Prosecuted to be
Entered upon Record in the office and from that time to be
Valid for all Intents and Purposes.

All Injuries done to the Indians of whatsoever ^{nature} shall upon their
Complaint and Proof thereof in any Court have Speedy Redress
gratis against any Christian in as full and ample manner with
reasonable allowance for Damages as if the Cause had been betwixt
Christians and Christian.

In all Places within this Government the English and all Others
shall keep their Cattle from Destroying the Indians Cows in any
Ground where they have ~~power~~ right to Plant and if any of their
Cows be Destroyed for want of fencing the Coward shall make Satis-
faction and shall have Power amongst themselves to Lay the Charge
where the Occasions of the Damages did arise PROVIDED

That the Indians shall make Proofs that the Sells of such
a Towne Farms or Purses did the Damage and for the Encourag-
ment of the Indians towards the Sells in the Towne. For
which each Towne Farms or Purses whose Sells may arise
whom that way shall direct assist and help the Sells of
Cross Runing and Sharpening rayses and holding of Posts allowing
on English men to two for three or more Indians and shall also
owne the Sells into Place for them and allow one man aday
or two towards the taking up of the same and either Sell or
Lord them to sell it provided that such Indians shall
leave their Cattle fields or grounds all their own Charge and
if any Indians refuse to fence their Cattle fields being
propounded help as aforesaid in the Towne and in the presence
of sufficient witnesses they shall keep of all Cattle or Cows their
Damage and if any man be taken at any time unto the
English by the Indians in their Sells the Governour or Deputy
Governour with two of the Council or any Court of Sessions or
Assizes may Order Satisfaction according to Law and Justice.

That Indian whatsoever shall at any time be suffered to
Promote or performe any outward worship to the Devil in
any Towne within this Government

Jurors and Jurges.

That the Clerk of the Sessions shall in convenient time
before the sitting of the Court give a Certificate to the Sheriff
or Under Sheriff of what and how many Causes are Entred
for their bearing the next Sessions to the end that the Sheriff
or Under Sheriff may and be thereby required immediately to
Issue forth Warrant to the Constable of the Towne or
his Jurisdiction of that Court for Jurymen proportionable to
the Causes with regard to the Equality of the Number from each
Towne and according to the Warrant the Constable shall provide
so many of the Jurymen as shall be Jurymen and returne
them to the Under Sheriff and if such Number of Jurymen be
required prove not sufficient for carrying on the Cause with
Dispatch to the Sessions the Justices may require the Sheriff or
Under Sheriff to supply their Number with so many able and
discreet men as shall either attend the Court upon other
occasions or shall happen to be Inhabitants of the Towne where
the Court shall be hold.

All Jurys for Reason shall be Impanelled and Sworn Truly
to try between Party and Party and shall find the matter of
Fact with the Damages and Costs according to the Evidence
Whosoever the Justice in the Bench of the Superior
Court shall pronounce the Sentence directing the Jury in
Point of Law and if there be Matter of Apparent Equity
upon the forfeiture of an obligation or such or Covenant
without Damages or the like the Bench shall determine
such Matters of Equity.

Every Jury man shall be allowed 3 s. per diem for the charge
of their Attendance out of the Fees and Profits arising in
each Court where they be Service or by the Country if that
shall be.

That the Payment of Jurymen & Witnesses who shall attend
the Courts of Sessions for Affairs shall be from the time of their
going from whom to their Return.

That whosoever shall be nominated to serve in a Jury and
without Just Cause shall refuse it he shall forfeit twenty
shillings towards the Defraying of Publick Charge which is
to be Levied by the Countie.

The Jury shall exceed the Number of 7 not be Under Six or less
in special Causes or upon Life and Death the Justice shall
think fit to Appoint more.

In all Cases where the Law is Obscure so as the Jury cannot
be satisfied thereon they have Liberty to Present a Special
Verdict or

if the Law be so in such a Point they find for the Plaintiff
if the Law be otherwise they find for the Defendant in which case
the Determination doth properly belong to the Court and all
Jurors shall have Liberty in Matter of fact if they cannot
find the main Issue yet to find and Present in their Verdict
so much as they can.

Whensoever any Juror or Jurors are not clear in their Judgment
concerning any Case they shall have Liberty in open Court and not
otherwise to advise with any Particular man upon the Bench with
any other whom they shall think fit to resolve and direct them
before they shall give in their Verdict.

The Verdict is to be given by the foreman of the Jury -
A Verdict is so returned when the Major Part of the Jury is a
good and the minor shall be concluded by the Major without
allowance of any Protest by Any of them to the contrary -
Except in Cases of Life and Death where the whole Jury is
to be unanimous in their Verdict.

The Bench is besides to take up the Evidence by way of
Information to the Jury.

No Person except the Clerk, Nephew or Cousin German
to the Party or Party concerned shall be admitted to the Court
Against a Party before he shall be sworn - and not after
It is Likew. Left to the Judgment of the Court to allow
Other Just Exceptions against Jurors besides Andred

If any one shall Protest to remove the Disputing before of a
Jury or Arbitration he shall forfeit 10 - for the first offence
and for the further breach of this Law he shall be imprisoned
or fined shall impose a great fine on the offender according to
the merits of the Cause.

Justices of the Peace.

The Justice of the Peace or High Sheriff or Either of them
shall have Power to issue forth Writs or Warrants according to
the Nature of the Plea.

Justice of the Peace High Sheriff or Under Sheriff may
grant Reprieves &c. of Office.

The Warrant of any Justice of the Peace shall be of force and
to be executed by any Inferiour Officer in any of the
Sessions as fully and Effectually as if the Justice were an Inferiour
Magistrate that Riding Provided always that the Clerk or Justice of
Peace or Clerk of Peace do advise within the Return where the
Justice shall dwell that the Value is to be added in the Return.

The Chief Justice of the Peace in the Absence of the Governor
Deputy Governor or Some One of the Council shall pronounce the
Verdict or Sentence of the Court Except in Cases of Natural
Impairment or Agreement among the Justices themselves it is
otherwise determined to any other Person of them in Neither of
which Cases the Justice shall refuse to do his Office in either -
his Consent to the Prejudice of the Court.

Any Justice of the Peace may if he Pleas or so Cause for it to
be done as often in any Colony Courts within the Jurisdiction where he
resides.

Every Justice of the Peace shall have an Allowance of twenty
Pounds & And to be paid out of the Publick rates towards the
discharging of their Offices and also what may be due out
of the fines and Amerciaments not otherwise disposed of

ART.

All Lands heretofore within this Government shall be free
from all fines & Licences upon Alienations and from all hereditaries
wardships Liveries Promises Services year Day and Feast Escheats
and forfeitures upon the Death of Persons or Ancestors Naturall
or Naturall Casual or Accidental and that for Ever Cases of Right
Reason only Excepted.

To the all former Purchases may be ascertained to the Present
Governor and Right Owner all Persons whatsoever who have made
any grants or Patents of Townships Lands or houses within
this Government shall bring in the said grants or Patents to the
Governor and shall receive them approved by Authority from his Royal
Highness before the beginning of the next Court of Assizes.

All Purchasers of Impleas'd Lands shall at their Costs & Charges
cause a Survey & Draught thereof to be made within one year after
such Purchase and deliver the same into the Office of Records to be
by the Boards and Limits thereof may be Justly distinguished and if
the Purchaser shall not within three years after such Survey plant
soat and inhabit upon the said Purchase they shall forfeit their
right Title and Interest therein.

Every Purchaser in Acknowledgm^t of the Propriety of his
Lands belonging to his Royal Highness shall upon dealing of the
Patent pay unto the Governor so much as they shall agree
upon not exceeding for Every hundred Acres two shillings and
sixpence and upon the dealing of a Pound two Pence which shall
be paid by the Purchaser to the Use of the Governor (Grants
to be disposed of to such as he shall think fit).

ART.

In regard it is almost impossible to provide sufficient Lawes in
all Cases as proper punishments for all Crimes the Court of Sessions
shall not take further Cognizance of any Cause or Crime where
there is not Provision made in Law but to Remit the
Cause or Crime with the best Examination and Proof to the next
Court of Assizes where Matters of Equity shall be decided or
Inquiries depending according to the Direction of the Court and not contrary
to the known Lawes of England.

Lying & False News.

Very Person of Age of Diceretion which shall be reported
of fourteen years and upwards, who shall wilfully and
wittingly forge or Publish false News whosoever shall be
Author nor Authoritand In: out of any Parts of Europe can-
be Produced whereby the Minds of Peopl: are frequently
disquieted or Exasperated in relation to Publick Affairs
or Particular Persons Injured in their good Names and
Families by such Common Decreits and abuses upon due Pross: made
by sufficient Witnesses before the Governour or any Court of Sessions
the Person so offending in Ordinary Causes shall for the first offence
be fined 10. for the second offence 20. and for the third offence
40. and if the Party be unable to pay the same he shall be set in
the Stocks 10. Long or Publickly whipped with 300 many stripes
as the Governour or any Court of Sessions shall think fit
Exceeding forty stripes or four hours sitting in the Stocks
for the fourth offence he shall be bound to his good behaviour
paying Costs or Service to the Informer and Witness: Such as
shall be Judged reasonable: Satisfaction butt in Cases of higher
nature as Publick Concerns the Law or Punishment shall be
Exercised according to the direction of the Governour & Council only

Marriage

Whereas by the Laws of England no marriage is Lawfull
consumated without a Minister whose office it is to Joyn the Parties in
Matrimony after the Bands therof Published in the Church or a
Lycence first had and Obtained from some other Person Hereunto
Authorized all which formality cannot be duly Practised in these
Parts yett so the End a Decent Rul: thereon may be observed
it is Ordained that from hence forth the Names and Surnames of
Each Party who sue for Marriage shall be Publickly read in the
Parish Church or some Meeting Place where they both then
Inhabit these severall Last Days together and where no Church
or Meeting Place shall happen to be a Publication in Writing shall be
made fourteen Days before Marriage in these Counties of each
County where the Party are in Habitation upon the first Tables the
which be upon any two Copies of the Overseers of the Parish in those
they produce Advice from the Governour in those which Cases
and not otherwise, it shall be Lawfull for them to be
(Married)

Provided the said Parties both Party themselves by
Sath if Required before the Justice of Peace or the Magistrate
that they are under the Bonds of matrimony to any other Person
Living if it shall after happen to be proved that either or both
the said Parties Ejured and thereby attained Another Marriage
for the said Perjury the Party or Parties offending shall
be bound through the Justice with a Rodd Iron and
moreover Proceeded Against as in Cases of Adultery is
Provided.

But if either Party be Approovd Innocent as to him or
her Sol and Ignorant of the Fraud the Innocent shall
Recovr Damages Against the Innocent and be set at Liberty
as if no such Marriage had been Made.

Not man shall harbour conceal or detaine Contrary to the
Consent of the Husband any Married woman upon Penalty of
Five Pence for every hour that such Married woman Remains
hid after Demand made by her Husband where his
wife is not harbored concealed or detained.

Provided always that any woman flying from the
Barbarous Cruelty of her Husband to this house of the Justices
or any of the Overseers of the same Parish may be Protected by
them in the manner as is Directed for Servants in such Cases
and not otherwise.

In what Cases it shall not be
Punishable to Remarrie.

If either the man or woman shall be Convicted to have
Fulfilled their Oath to the Justice of the Peace the other
is free to Marry.

If sufficient Certificat be brought from any foreigne
Partys Abroad with allowable Circumstances that the Man
or woman is dead the King Major and Place specified
under the hand and Seale of some Privie Person and known
Magistrate the other is free.

If either the man or woman Travelling by Sea or Land into
any foreigne Parts which voyage by former Computacion may
be Perfected in One year or less or in few Days of the year
not by former Knowledge or News shall be set within five
years after his or her Departure nor of any who Accompany
him or her in the voyage it may fully be Proved that said
Person

Persons both and after the Expiration of his Amble
 years the other is free to Marry Provided always
 that if either the man or the woman shall at any time
 after the Expiration of 5 years Return and bring full
 Testimony that he or she hath never been married
 by writing or message to any known to his wife or husband
 that he or she was then living or that they were by Impri-
 sonment or bond Slavery with the Turks or other heathen
 Lawfully hindered from giving such Information it shall
 and may be Lawful for the said man or woman to
 Chastity his or her self by Marrying and obtain an Order for
 their Chastity as formerly but if neither shall do for such
 an Order they may by Mutual agreement Enter a Petition to
 either of them in the office of Records and both receive free
 from their former Obligations the said rule shall be observed
 as to the children in Lawful Marriages it is provided for such
 children as shall be begotten in the Count of Ayr only
 If any man shall hereafter Publish to marry contrary to the
 Laws Provided the Person offending shall be proceeded against
 according for Adultery or fornication according to Evidence the
 Children who be begotten shall be reputed bastards and the Parents
 shall be liable to such Penalties by fines or Imprisonment as
 they have deserved.

If any Person whatsoever shall Publish to marry any Daughter
 or servant without the known Consent of the Parents
 if any be living or any other Person who have not been here-
 before in the Church or usual Meeting Place or otherwise Legally
 published or without a special warrant for his so doing
 under the hand of the Governor the said Person shall forfeit 20
 and be put out of his office.

Masters Servants & Labourers.

Note Servant either male or female shall either give Bond
 or Trade any commodity whatsoever during the time of their
 service and the Penalty of fine or Punishment by Warrant
 under the hand of the Justice of the Peace at the Officers that
 present and what ever Person shall buy or receive or Truck with
 any servant contrary to this Law they shall be compelled to
 restore the said commodity to the Master of such servant or
 servants and forfeit the double Value thereof to the Peace
 of the Parish where they shall inhabit.

All Labourers and Servants shall work in their Callings
 being thereunto required the whole day the Master or Ten-
 allowing them convenient time for food and Rest.

If any Servant shall run away from his Master or
Deme or any other Inhabitant shall Privily convey them
away or have Suspicion of such their Evil Intentions Every
Justice of the Peace or any Constable with two Overseers where
no Justice is at hand shall have Power to Break open Doors or
Pinnaces of the Publick Stairs to Pursue such Portents both by Sea
and Land to bring them back by force of Arms to Clear them
of such Crimes or Suspicion thereof.

None man shall receive for Service or Work done his Payment
in Coin or the usual Rate provided also that no Speciall
agreement was made before hand for any particular paymt. if so
then to be Paid in the same Manner as is agreed upon for Consideration
for default thereof by Arbitration.

If any Master or Dame shall Tyrannically Use or Abuse their
Servants upon Complaint made by them shewnt to the Constable
and Overseers they shall be Speedy removed therefrom by Authority
the Master or Dame not Provoked their Servants and upon the
second Complaint of the Servants of the like Cause it shall be
Lawfull for the Constable and Overseers to Protect & Sustaine
such Servants in their houses till due Order be taken for their
Redemption in the Insuing Sessions provided that due notice thereof
be Speedily given to such Master or Dame and the Cause hereby
Servants are Protected and Sustaind and in case any Master or
Dame by such Tyranny and Abuse and not Reasonably shall drive
out the Servant or any such Man or Maide Servant or shall
otherwise maim or Hurt them such Servants after due
proof made shall be set free from their Services and have a
farther Allowance and Accompanie as the Court of Sessions shall
Judge meet.

But in case any Servant or Servants shall Casellly Complaine
against their Master or Dame if they cannot make Proof of a
Just Occasion for such Complainte such Servants shall by the
Justices of the Court of Sessions be Enjoyed to serve their
Master the time Extraordinary gratis for such undue Complainte

None Servant Except such as are Duely soe for Life shall be
Assigned over to any other Master or Dame by themselves their
Executors or Adminis. for above the space of one year unless
for good Reasons offered the Court of Sessions shall otherwise
think fit to Order In which case the Assignment shall
stand good otherwise to be Void in Law.

Military Affairs.

As much as good Management of the Militia is the Support of all Governments in peace and Safety to which all Persons of what quality Superior are Oblidged in Duty and Conscience in their proportions to be performed according to this good Law the following Lands are to be observed

first that Every Male Person above the Age of 16 years Except Justice of the Peace High Sheriffs High Constables or Order Sheriffs Petty Constables Ministers Prebendaries School Masters Physicians and Chyrurgions Allowed of by two Justices of the Peace or Sessions Publick Ministers of Law or Clergy about 20 (and constant boardmen or such as for bodily Infirmity or Old age shall be Excused by the Justice or Sessions as also one Servant of each Justice of the Peace or High Sheriff shall duly attend all military Exercises and Service as training watching and Guarding when they are therunto required and Warned by their Officers under the Penalty of five Shillings for Every Day or Default.

Every Towne shall be Provided with a sufficient Store of Powder and a safe convenient Place therunto Adjoyning for keeping Powder and Ammunition under the Penalty of 1000 Pounds and the Constable and Overseers shall provide and maintain for the use of the Towne in Case of Necessity one Carriage of good Powder English Weight one hundred and fifty Pounds of Musquett or Pistoll bullets twenty pounns of good Match which they shall carefully receive from time to time as shall be necessary under the Penalty of 500 Pounds for the want of such Proportion of Bullett Powder or Match as before mentioned and where there are Artillerys for the use of Gallies in any Towne the Constable and Overseers shall provide such guns and fit them with Appurtenances for Service and the Constable and Overseers are hereby authorized to assess Levy and Districte upon the Inhabitants for Building Repairing Tying and Maintaining the Pieces before Recited if any wise Neglected.

Besides the Generall Stocks of Each Towne Every male
from 16 to 60 yeares of Age Within this Governour, if not
freed by Publique Allowance, shall if Freeholders at their
owne if sons or servants at their Parents or Masters Costs and
Charges be Published with Armes and other Suitable Provisions
hereafter mentioned under the Penalty of 5^s. for the Lasted. And
thorowly namoly a good Serviceable good Caliver sufficient by his
military officer to be kept in constant Readines for
Service with a good Sword bandadoes or Horns a Worme a
Scowrer and a Priming rove: Shot bagg and Charge or
Pound of good Powder four Pound of good Pistoll bullets or
twenty Lead bullets fitt for the gunns four fathom of
Serviceable Match for a match Locks four flints fitt for
a five Lock gunne and all such or military officers Armes
~~and other things~~ hereby required to give or send in an Account
yearly to the Governour and Councill for the Inhabitants are
furnished and Provided that the Supply may be altered.

That the Constable and Overseer shall in behalfe of their
Towne Present to the Governour three Names of the most fit
Persons in their Towne to be Captain. Lieut and Ensign. To
whome the Governour shall give forth Commissions Accordingly
And soe: he hath sufficient Exceptions Against either of them
in which case Constable and Overseer shall Proceed to have
Election which is to be made by the Plurality of Votes of the
Souldiers.

That man Elected in any Military office shall refuse to
accept thereof or discharge the trust therin under the
Penalty of full Pounds or half to be Payd to the Governour
and the other half to him that is Chosen in his Place and
accepts thereof.

The Captain or Chief Military officer in Each Towne is Em-
powered once in three months at Least Every yeare or oftner
if they see good to take a strict View how every man is furnished
with Armes and Amunition According to Law and where any
are found faulty they are required to make presentment
thereof to the Constable and Overseers of the said Towne
that the fine and Penalties may from time to time be by them
duely Levyed and if this View of Armes and Amunition
shall at any time be Neglected or the Defects not duly
Presented the Captain or Chief Military officer shall pay forty
Shillings for his Neglect which fine shall be Levyed by the
Constable and Applyed to the Maintenance of the Publique Stock
of the Towne.

All fines for the neglect of Soldiers or Captains and
Chief officers of Military affairs shall be imposed by the
Court of Honors and not otherwise: but for the neglect of
Particular Persons by the Constable and Officers

Every Town within this Government shall have Every
Year four Days of Traying among themselves and they
shall be always in Each Regiment once in a Year a General
Traying of all the Towns within that Jurisdiction which may
be up three Days time the one in coming to the Place Appoin-
ted the next for their Traying, and the third for their
Every one to Returne to their Habitations.

Lxxvi.

There shall be Once in two yeares a General Traying for all
Soldiers within this Government the time and Place to be at
the nomination of the Governour.

In the severall Trayings all males above Sixteen yeares of
Age who are not freed from that Service are to be brought in
thoroughly handling and ready use of their Armes in all
Postures of warre to understand and command all words of Command
and further to fit all such as are and shall be in some Measure
Instructed for all military Service against their so Occasion
Under the Penalty of 5^s to be Levied upon the Military officers
as upon Examination they shall be found more or less faulty
and with respect to their Places the greatest Trust Paying
the greatest fine for neglect and the Dayes to be appointed
for private and general Traying shall be at the most convenient
time of the Year for Traying but not within fourteen Dayes
one of another Moreover Every such Traying Day the Master
General or Chief Military officer present shall cause the Names
of all the Soldiers to be read in the forenoon and in the Afternoon
also if they be absent and whosoever on any Traying Day shall
be absent shall pay 5^s for Every such Default whosoever shall
at any time of the Day withdraw himselfe from the Service with-
out Leave from the Chief Military officer present he shall pay either
for Default Absence or a greater or lesser fine as the officer present
in all circumstances may require and whosoever shall Com-
mit any Slight or Offence of such importance and what fines
shall be Levied by (virtue) of any neglect or Misbehavior at
the General Traying of each Jurisdiction the Major Governour
shall have one third and the other officers two thirds but what
fines shall happen at the General Traying for the whole Govern-
ment shall be paid to the Major Governour and one third to the
(Officers)

All fees arising upon this account and not Expresses for they
shall be disposed of here to be Employed in the buying of Ordnance
Powder Halberds and other necessary things Relating to the
Militia.

The Governor and Council shall send warrants to the Major
General the Major General to the Captains and Chiefs Officers
to Draw their several Companies to a certain Place or Places
in the said warrant allowing fourteen Days having in view of
Grace But if there shall at any time happen within this Governour
any foreign Invasion or any publick attempt or attempt
from a common Enemy whether Christian or Pagan or other
Insurrection or Rebellion against the Lawfull Authority in
such Cases the Governour by warrant to the Major General
the Major General to the Sheriff the Sheriff to all Officers
both Civil and military shall immediately dispatch Orders
warrants & Precepts to all other Persons whatsoever that upon
their attempt or view of fine and Imprisonment by the Governour &
Council they nor any of them do fail to meet upon a certain
Day and Place in the warrant to be Express'd with their Arms
and other Military Provision when the Sheriff in Person is also
to appear and attend there to receive such further Order from
the Governour and Council.

Two third of every Company of what Number soever the
Company shall consist is to be Trained to the use of a Match
Lock Musquet which no man that is appointed by the Captains
shall refuse under the Penalty of twenty shillings but on the
contrary shall appear and Exercise with the same at all
Trayning whatsoever under the aforesaid Penalty.

The three Chief Officers of each Company have Power to Punish
any Soldier or Private that shall Commit Disorder or Contumpt
upon any Day or time of military Exercise within their Count
or upon any watch or Ward by such Riding Wooden horse or
usual military Punishment or by fine not Exceeding Ten
shillings or may commit such Offenders to the gaole to be there
for some space of Time who may bind him over to the next
Court of Sessions or Commit him to Prison if the Cause require
effences of Contumpt or Disorder all any General Trayning shall be
heard and adjudged by the Major and the Captains only who have
Power to double the fine or to double the Punishment upon the offenders
though not to alter the manner which is directed the three
military officers in Court Trayning.

If any Person Carreth Armes or Ammunition with such
Intent as he hath if he bring to the Captain so much forni-
as by appraisment of the said Captain and two other indifferent men
whosoever he be chosen by the Party shall be adjudged of Greater
Value by a fifth part then such Armes and Ammunition is of
he shall be Excused of the Penalty for want of Armes until hee
be Provided and shal pay that Endeavor to furnish him Armes
as may be by Sale of such Armes or deposited Rending the over
Plusse to the Party But if any Person shall not be able to
Provide him selfe Armes and Ammunition through more Poverty
if he be Impo. he shall be put to service by the Constable and
overseer of the Place where he dwelle or they shall Provide
him Armes and Ammunition and shall appoint him when and
with whom to worke without.

Upon any Expedition upon occasion of an Enemy or any Project
Military to be done all Smiths and other Artificers Work
men shall immediately repair such Armes and other necessary
as shall be brought unto them for that End for which they
shall not receive such pay as the Party afford upon the Penalty
of five Poundes for Every such Default and for such Neglect
all any other more then Twenty shall forfeit for Every
such offence three shillings

No man shall be Compelled to bear Armes or pay Ransome
for or Land without the bounds and Limits of this Governour
out from the said parts nor man shall be Exempted.

All of the said and other Indian Wars upon Indians shall be
maintained by a General Assessment proportionable in Each Colony
according to the Pay and Custom of England to Souldiers and
half pay to Officers

In respect of the Mutuall and Brotherly Assistance which
wee ought at all times to cherish and Improve for the hope
and Support of our English Neighbourhood in either his Majesty's
Colonies the Governour and Councill may act at all times and
in all Places by Writ of Span or otherwise Call to either List
raise Armes and send forth out of this Governour to the
Colonies of any Neighbour Colony all such as for many men
as shall voluntarily Present themselves to the Justice who
serves or foreman with this distinction only that if any Souldier
making use of that pretext to Escape from his Master shall
flee and absent himself from his Colony and not returne if
Living with his Officer such Souldier so offending shall be
to be Punished by death according to the Discipline of Warre and
the Master of such a Souldier shall have reasonable Satisfaction
allowed by the Governour for such Damage and to all Voluntary
Souldiers soe Layd shall be allowed one Monthes Pay and

Made good by a General Agreement proportioned to each part
all further charges are to be defrayed by the Colony to whom
assistance they are Employed and all Justices of Peace Sheriffs
High Constables and other officers are Empowrd & required
to suppress and hinder all Traynes of Soldiers by Draft of
Drum or otherwise to be compassed but such as shall be
Authorized by his R. In Immediat Warrent or the Governour
and Council here Established.

X All Inferiour Military officers shall Punctually obey the Orders
of their Superiours in their Marches, quarters and Watches with
out murmuring or expiating under the Penalty of being fined at the
discretion of the Major Generall and Captains from whose Sentence
no Appeals shall be made to any Inferiour Court nor Abatement
granted Except by the Governour and Council.

X All Soldiers shall be respective to their Officers and Obey
to their Comand in their Marching quartering and watching as
well as Draying while they are required to attend the Service
under the Penalty for their Disobedience in Ordinary occasions
of 5. Bull in Cas. Such Disobedience shall happen b. for the sake
of an Enemy or when it is reasonably expected that the Enemy is
at hand to make an Assault in such Cas. the Officer or Officers
shall Commit such Person into Custody and at the next Court
to be held by a Court Marshall or commit the same to some grievous Punishment
by a Court Marshall or commit the same to the Court of
Assizes who are Empowred to hear Examine and determine the
Cause and Lay what Punishment the Court shall think fit to impose
upon the Offender.

X If any man Appointed to Stand Sentinell shall be found Sleep-
ing during that Duty where by the Lives of others are in danger
he shall pay forty Shillings or suffer other Military Punish-
ment but if he shall come off from being Sentinell without being
relieved he shall forfeit £

Every man that absents himselfe from the watch without
leave from his officer shall pay 5. and with Leave shall fine
another in his place but if a man shall depart from the watch
without Leave from his officer he shall forfeit 10. or more with
other pains and Penalties according to the Merits of the Damage
that may ensue thereon.

That no Troop of horse shall exceed the number of forty Troop
Officers Officers (Lieut) a Captain a Serjeant a Quarter Master
and three Corporalls while officers and Privats Troopers are to observe
the same times for musters and Exercises in military Discipline with all other
Circumstances Enjoyed upon the foot Officers and Soldiers
Respectively Mutatis Mutandis. as followeth.

Every Troop: Listed in any Troop of horse: shall be and
maintaine a good horse for service when required fitted
with saddle, bridle, holster and Pistols and a Cavaline and a
good sword, under the Penalty of Linn Shillings for the Least
of foot neither shall any Trooper sell or Change his horse: -
and Leave himselfe destitute under the Penalty of 5^o and
for non appearance upon days of muster and Exercise: -
Linn Shillings. & day neither is it Lawfull for any Trooper
to disband himselfe, but with Leave from his Captaine under
the Penalty of fifty Shillings.

All officers both of horse and foot shall from time to time
be by their Superior officers in all things Relating to the
military affairs of this Government and all other Penalties for
offences in either officers or Souldiers of a Troop of horse
shall be in the same manner and Applied to such uses as
are, etc. wh. directed and ordained in Relation to the foot
officers and Souldiers

Officers and Offices.

All Sheriffs Under Sheriffs or High Constables shall not
Change yearly Only the Under Sheriffs or High Constables by
Speciall Warrant may Continue in his Office and Justices of
the Peace are to Continue in their Places During the Governours
Pleasures.

Justices of Courts, Juries and Marshalls are to Continue in
their Places during their good behaviour for breach of
which they are Punishable by the Loss of their Places: -
and so at the discretion of the Court.

That the Governour and Council may by Speciall Warrant
displace any officer made or chosen within this Government
for neglecting of his office or other notorious misdemeanours
or behaviour in which case the Constable and Overseers of the
Towne shall proceed to a new Election to supply the vacancie
as if the officer were dead according to the Rules Pertinent
for Election of Towne officers.

Orphans

That all Persons who have or shall have any Estate of
goods Chattels or Lands in their Possessions belonging to any
that are Under age shall Exhibit an Inventory and Account
of the said Estate within three Months next after.

Publication of this Law to the Respective Courts of Sessions
whosoever such Estate is and afterwards yearly and in Case any
Person or Persons who have such Estate in their hands do not
at the time and Place aforesaid Present the Inventory and
account of such Estate aforesaid that then the said business
be sent to the next Court of Assize where the offender shall
be fined for Neglecting of Exhibiting such Inventory and
account as aforesaid and if any good Improvement
shall not been made of the Estate and if it shall be thought
convenient to continue it in the said Persons hands he or
they shall give bond Caution and Security otherwise it
shall be removed into the hands of some other able
and discreet Person or Persons as the Court shall appoint
Upon the Caution aforesaid

Overseers.

All Overseers shall be Eight in Number men of good
Fame and Life chosen by the Plurality of Freeholders of free-
holders in each Town. Whose of four shall remain in their
office two years successively and four shall be changed for
New ones every year. Which Election shall Proceed the
Election of Constables in Point of time in regard the Constables
for the year ensuing is to be chosen out of that Number
to which are Dimitted from their office of Overseers the New
chosen Overseers are to be Presented to the Constables and Overseers
to be confirmed by the Justice of the Peace at the next Sessions
ensuing or by any Justice of the Peace of the same Riding
out of Sessions the oath appointed for Overseers being admin-
istered unto them.

Any one Overseer upon Sundry and necessary occasion the
Constable being not at hand or not in health to Perform his office
may take upon him the authority of a Constable provided that
he carry with him the Staff of the office which shall be a
Sufficient warrant to any such Overseer to act by Virtue thereof
in his R. J. C. name as any Constable might or ought to do

That whosoever being duly Elected shall refuse to serve
as an Overseer he shall Pay the same fine and to the same
Use as is appointed for a Constable Refusing to serve
in his office.

Payments -

All payments upon contracts and Engagem^{ts} shall be
satisfied in Km^o: according to Covenant. Provided that
in such case where payment in Km^o: according to Covenant
is by some inevitable accident hindered which could not
be foreseen all just Damages may be satisfied by garnish
with the Debt by Arbitration but in no case shall the
creditor be forced to relinquish his just Privilege to be
satisfied in Km^o: according to Covenant.

Packer Cask Cooper Gager.

That all Cask used for any Liquors fish brife Pork: or
other Comodities to be put to sale shall be of London Assize
of sound and well seasoned Timber and that fit Persons shall
be appointed from time to time in all Places needfull to gage
all such Caskets or Casks and such as shall be found of
Assize shall be marked with the gagers Mark: who shall
have for his Paynt 4. of Curr^{ts} and Every Cooper shall have
a distinct brand mark: upon his own Cask: upon the Penalty
of forfeiting twenty shillings and whosoever shall put to sale
any new Cask being defective either in workmanship Timber
or Assize as aforesaid upon due proof made before any of the
Country shall forfeit ten shillings of Curr^{ts} and so: Proportionally
for Greater or Lesser Cask: and be punished: thereof may be no
neglect in the choice of a Gager or Packer that Every Constable
within this Jurisdiction whome any Cask: are made shall yearly
make choice of a fit man for that Employment to be sworn
Preserved by the Constable: within one Month after Charges
made before the next Justice: of the Peace: shall there take
the Oath belonging to his Place which if he shall refuse to do
shall pay the Sum: of forty shillings and another shall be sworn
in his room: Also the Constable: shall either of them
suffer the like Penalty for their Neglect of this Order and Every
Gager or Packer shall be: that all Cask: the Packs boafe Pork:
or Makers of fish or other goods committed to his care be of true
and full Assize: and that he Pack: the same in no other
Cask: whatsoever on the Penalty of ten shillings for Every
Cask: by him Packod that is or shall be: defective in that Respect
one half to the Informer and the other half to the
Governour.

Pipes Staves.

That the Constables and Overseers in all Towns within this Government where Pipes Staves shall be Shipped doe from time to time as aforesaid shall require Nominate two more of each Town skillfull in the Comodity and such as shall attend the Service to be Owners of Pipe Staves who so chosen shall be by the Constable Convoated before some Justice of Peace to be sworn Diligently and Faithfully to Order and Search and such Pipe Staves a Favre to be Transported and to be used for making of Right Cask: who shall pass by all such as they shall Judge not Merchantall: both in respect of forme: hole and butt: (viz) that a: not in Length four: foot and a half: in breadth three: Inches and a half: without Sappin thickness: three quarters of an Inch and not more or less: then an Eighth Part: of an Inch then three quarters thick: well and even hewed and sufficient for use: and they or some: one of them shall at all times upon request give allowance: and they shall Enter into a Book: the Number of such Merchantall: Pipe Staves as they shall approve and for whom: and if any man shall put on board or other: board any Pipe Staves other then what shall be so then searched and approved by the End to be Transported to any Place: Except they should be transported for Dry Cask: he shall forfeit the same: whole: Part of the Value: thereof and the Owners shall be allowed 2 for every thousand of Pipe Staves which they shall search as well the same as the Merchantall to be Paid by him: that sell him on board:

And if any Master or other Officer of any Shipp or other Vessel shall bring into such Shipp or Vessel any Part of Pipe Staves to be transported as aforesaid which shall not be searched and allowed as Merchantall and so: certified by a not: Order the hand of one of the said Owners such Master shall forfeit for every thousand of Pipe Staves so: Unduly received 5: Except he can shew one of the said Owners to come on board and search such Staves as shall be delivered into the ship PROVIDED Cask: or v: fur: Staves or other Roddick Staves may be Transported into this: Parts which may be of good use: for Dry Cask: viz: as the same be Carried to distinct Parts and not Intermixt with Merchantall: Staves

Possession

Every Person or Persons that hath either by himselfe or his Assign: or grants Possession and Occupie: any Lands or houses as his or their proper Right in fee simple within this Government and shall soe Continue whether in their own Persons their heirs or assigns or by any other Person or Persons from or under them

Whom in Possession as aforesaid without Disturbance: Lett
Faith or Oynall Legality made to such Land or house for the
Term of four years and shall so remain without any
Claim or Demand Entered against the Possessor before the
first Day of September which shall be in the year of our
Said 1665 shall from and after the said first Day of
September and forever Enjoy the same without any Lett
Faith or Disturbance or Demand any Claim or Demands of
any Person to the contrary Notwithstanding Provided that
it shall be Lawfull for any Person that find himselfe
Aggriev'd herein to make his Appeal to R. J. C.

Prisons and Stocks

Every Parish shall at their Charge Provide a Pair of
Stocks for offenders and a pound for Pounding of Cattle
Prisons and Pillories as Likewise to be Provided in those
Townes where the severall Courts of Sessions shall be hold.

That the Justices of Peace of each Riding shall Chuse a
Piece of ground to be Laid out in the same Towne where
there shall be a House which shall be kept whereon shall be built a House
and Prison for the detaining of the Charges thereof
and it to be made throughout each Riding at the next
Court of Sessions following the first Assizes.

The Pound and Stocks shall be Provided in each County
under the Penalty of forfeiting forty shillings for each
County for their Neglect therein for every Month after
Warning from the Governour.

Publique Affaires

Whereas this Governour may in many Occasions be
Disappointed of News and Speedy Information of Publique
Affaires out of England as well as out of the Neighbouring
Colonies to the remedy of such faults and Inconveniences
Every Constable to whom any Letter shall come directed
to the Governour Addressed on the back side of the Letter with
the name of any of his Maj.^{ty} Principall Secretaries of State
or his R. J. C. Secretary or with the name of any one of
the Governours of any of his Maj.^{ty} Colonies of New England
or any Letter sent from the Governour to the Sheriff or
any of the Justices of Yorkshire upon Long Island and so
Addressed as aforesaid shall dispatch them within three daies
at the furthest after Receipt thereof to the next Constable

Constable and for forwards as the Letters direct upon the Penalty
of 40 for every Hours Delay and in such Case all Constables are
Empowered to Press a sufficient Horse and Man for that Purpose
allowing for horse and man Satisfaction six pence for each mile
travell which shall be accounted to each Constable in the
Publick rates.

Records.

All records of bargains and Sales or any other Convoion
Admitions or Probats of wills with the North and West Riding
shall be transmitted to the office of Records at New York
with the Fees ordained for the same within one month after
the Records shall be made in the Courts as is Else where Permitted
if in the East Riding within two Months.

Provided always notwithstanding that Purchases of
Lands under the Value of thirty Pounds are not to be
to be Recorded at New York but in the County where such
Purchases are made or any other Sessions.

Saylers.

To prevent many Misarrriages which are frequently
Committed by Saylers by their irregular Drinking and other
vain Expenses in Ordinaries where by the Masters and Owners
of the Vessells to which they belong may be prejudiced by
Arresting or detaining such Saylers for Debt when their
Shipp are Ready to set sail. Noe Victuals or Inkipper or
other Soller of kind Beer or other Strong Liquors shall after
the first Day of March 1664 be sold or Recovered
by Law any Debt or Dollars to be paid by any Saylers in any
place where they are not within the Jurisdiction and Except
the Master or Owner of such Shipp consent to pay for such
Debt which being done given under his hand to Discharge the
same.

Sheriff

The High Sheriff from year to year shall be a
Justice of the Peace in the Riding where he inhabits during
the time of his office by virtue thereof
The High Sheriff shall have Power to Issue forth any
Writ or Warrant according to the Nature of the Plaint.

The High Sheriff may if he please or see cause forth
bring as choice in any of the Meetings or Courts of what
Persons whose hee thinks.

The High Sheriff shall have the Nomination of the
Marshals in Each Riding and is to take Security of them
That Each Riding shall have their Turne in choosing a
Sheriff (within their Jurisdiction successively and
the Justice in the Last Session before the Expiration of
the Office of the then Sheriff shall Present to the Governor
in Writing the Names of three Persons within whose Jurisdiction
out of which the Governor may make Choice of one to be
Sheriff for the year ensuing

Town Ships

Whereas in Particular Towns & many Kings Doe
arrive which concerne only them. And to the Ordering
their Affairs as the Disposing Planting Building or the
Use of their own Lands and Woods Granting of Letters License
of Officers Appoynting of Rates with many other Matters of a
Municipall Nature tending to the Peace and Good Government
of the respective Towns the Constables by and with the Consent
of the Justices of the Peace for the County in the time being
shall have Power to ordaine such and good many Peculiar Statutes
as are necessary to the Welfare and Improvement of the same
Provided they be not of a Criminal Nature And that the
Penalties exceed not twenty shillings for one offence and that
they be not Repugnant to the Common and Publick Lawes
And if any Inhabitant shall refuse or Neglect to observe
them the Constable and Overseer shall have Power to Levy
such fine by Distress.

If any Marshall shall offend officiously at any Court
Court towards or before the Constable and Overseer they
shall have Power to Sentence him for such offence the
Penalty not exceeding twenty shillings

Provided always that every such Peculiar Constitution
be confirmed by the next Court of Sessions after the
making thereof otherwise to be void and of none
Effect.

Othes.

All Votes in the Private affairs of Particular Towns shall
be given and Determined by the Inhabitants freholders and
measurers Committed to Arbitration or all Sorts either as to Juries
in all cases or to Justices upon the Bench whose the Law is not
pleas'd shall be Carried by the Major Parts of the Suffrages
The Minor Parts to be Concluded by the Votes of the Major.

Warrants.

All Writing Warrants or Licences under the Governours
Hand and Seale shall be Reform'd and Observed as speciall
Warrants or Licences to all Intents and Purposes.

Weights & Measures

That the High Constable in Each Riding shall Provide
at the Publick Charge Several Standards of Weights and
measures which shall be Sealed with a Common Seale - Appointed for
that Purpose that they may be unchangeable and remaine
for weights a Sort of Bushell Weights to Four pound with the Lette
weights Enclaved according to London weight - Consisting
of sixteen ounces with a good beam of fit to be 19 and 1/2
Inch for Corn Measures that they be one Bushell one Peck and
one half Peck to be fitted to Winchester Measure in England
and Measure for Liquids as the ale quart wine quart wine
Pint and half-pints and that there be one Ell & one yard
That all and each may be according to the General Custom
of England and that in goods sold by the hundred weight being
above and below to be allowed Except in Retail to be sold by
the hundred to which six Score is to be allowed by the hundred
and in goods sold by the Ell and yard one thumb breadth to be
allowed to the Length of the Ell and yard that the Constable &
Overseer shall Chuse some fit man in Each Town to be Sealer
of such weights and Measures which man so chosen they shall
Present to the Next Court of Sessions there to be Sworn to
the faithful Discharge of his Duty and he shall have Power
to send forth his Warrant by the Constable - to all the Inhabitants
of that Town to bring in all such weights and Measures as they
make use of once in every year at such time and Place as they

Who shall appoint and then to fix them to the Standard above
mentioned and make them with the Towns mark - and the Sealer
shall have for Every weight and Measure from the Owners
thor: of the Pence at the first Sealing and for Growing and
Sealing them yearly after one Penny at such weight and
Measure as cannot be brought to their Just Standard he shall
doe fact ~~one~~ Destroy them and if any High Constable - Overseer
or Sealer shall Neglect his or their Duty and Trust he or they
shall pay as a fine to the Towns forty shillings and Every
Person that after due Notice given shall Neglect to bring in
his weight and Measure he shall pay three shillings and four
Pence for Every such default the one half to the Sealer -
and the other half to the Town: and if at any time any Person
within this Governm. shall buy or sell by any sales or Challenge
weight or Measure to the Damage of his Neighbour he shall
forfeit (besides Correction) double the Value to the Town -

Witnesses.

No man or woman shall be Put to Death without the
Testimony of two or more witnesses the Confession of the Party
or other Equivocal Circumstances.

In all Cases whether Civil or Criminal but not Capital, especially
under the Cognizance of a Constable and Overseer it shall be
Lawful for the Constable to require and take the Oath of any
Witness - about the age of fourteen years and of sound Under-
standing and make record thereof. That if any Court of
Assize or Sessions shall at any time make a Record of any
such Cause the Evidence may appear.

Every witness in any Action may require as due to him
from the Party at the Suit he appears two shillings Exp-
ense for Every day's attendance whether he gives in his
Evidence voluntarily or being served with a Subpoena it is in
his choice whether he will appear or Not.

It is always to be understood that the Party Delinquent or Off-
fender in Civil or Criminal Cases shall pay all charges of
what kind soever which arise from the Prosecution of the
Suits.

Wolves.

If any Person whether Christian or Indian shall at any
time bring the head of a Wolf or Hound to any Constable upon
Long Island the said Constable is required to take two of the
Overseers to him and then and there to pay and satisfy such
Person or Persons to the Value of an Indian Buck to be allowed

Out of the Publick Charge of the Towne wateres Provided always
that the Constable and Overseer shall require the oath of every
Christian who brings the head of a Wolfe or Wolves ~~or any other~~
~~Carcase~~ with the time and Circumstances and Killed upon Long
Island only. Provided also that the Constable and Overseer have
due regard of such Wolfe or Wolves brought by the Indians that
they approve to be fresh and newly Killed upon Long Island and
not Old where And the Constable and Overseer are to cause the
head to be Nailed under the doors of the Constable house to remaine
as also to put of both the Eares in London that the head is bought
and Payd for.

Wrecks.

If any Shipper or vessell belonging to either friend or Enemy shall
at any time suffer Shipwrack upon any of the Coast of this
Government they shall not wrong or violence be done or
offered to their Persons or goods but their Persons shall be
kept bound and releived and their goods preserved from Spoile
and Imbeilement and all Justices of the Peace Mayors Sheriffs
High Constables Petty Constables and Overseers are strictly
charged to be vigilant therein and upon notice of any such
Accident within any of these Counties to repair to the Place
and give Order therein for the releife of the Persons and Saving
of the goods until Notice thereof be given to the Governour and
Council who will proceed therein according to the Lawes of
England and cause fit Satisfaction to be given to such as
have bene Employed there time and Labour to the Preserving such
Persons and goods And the said goods if they belong to friends
and by warrant from the Governour and Council to be Restored
to the Owners if any can be found or known.

Alsoe any Whale or any such Like great fish that shall be
Cast upon the Shore of any Province shall be taken into the
Care of any of the Officers above Mentioned to be Kept or
imprised where it cannot be Kept and by such Officers only
until the Governour and Council after Notice sent shall
give further Order therein.

And the Acknowledgment which shall be Received to
be Payd for the Whale or such Like great fishes Cast
upon the Shore of any Province shall be the fiftenth
Gallon

(JAMES)

Concordatium originall

By Command of his Royall Highnesse
M. Wren.

The formes of Summons Attachments
Replewms.

To A. B. of C Carpenter

Summons

You are in his R. H. name required to appear at the
next court of Sessions holding at L. in the E. Riding
of York shire upon Long Island on the Day of
next ensuing to answer the complaint of J. K. for
with holding a Debt of £. 100 upon bond or bill or for
two heafers he sold you by him or for work done or for
a horse plow done him in his own or hay by your fallow or
for a slander done him in his name or for striking
and the like and how of you are not to fail at your Obedience
dated the Day of and in the year of our Lord 16

Attachment

You are in his R. H. name required to attach the body
and goods of J. K. and to take him to the value
of with sufficient surety or sureties for his appearance at
the next court of Sessions holding at L. in the N. Riding
of York shire upon Long Island on the Day of the Month
of the year and there to answer the complaint of
M. O. for £. as before and to make a true Return thereto
of order your hands Dat.

Replewin

You are how by Required in his R. H. name to replew three
heafers of P. Q. now distrained or Impounded by R. S. and to
deliver them to the said P. Q. provided he give bond to the value
of with sufficient Surety or Sureties to prosecute his
Replewin at the next court of Sessions holding at T. in the
West Riding of York shire upon Long Island and soe from court
to court till the cause be ended and to pay such costs and damages
as the said R. S. shall recover by Law against him and to
make a true Return thereof under your hand Dated &c.

I know all men by these Presents that A. B. of C woman
and D. E. of the same Parishes due binds our self our
heires Executors to J. K. High Sheriffe or H. J. Constable

of Oafordaid in Pound upon condition that the said
A. B. shall personally appear at the next Court of Session
holden at K in the North Riding of York. shire upon Long
Island to answer L. M. in action of and to abide
the order of the Court therein and not to depart without
Licence.

JAMES.
Concordat Cum Originali

By Command of his Royal Highness
M. Wren.

The Oath of Fidelity to his Royal Highness.

I. A. B. doo swear that I aming the faith and alledge-
ance due to our Sovereign Lord the King will be true
and faithful so long as I shall be a member of this Colony
to his Royal H^{ch} James Duke of York and Albany and
Lord Proprietor of this Colony and of New York and the
Islands and Places therunto belonging and to his heirs
and Lords Propriet. of the same and to his or their Lieut^{or}
Chiefe Governor here for the time being and will not
at any time by words or actions in Publick or Private
wittingly or wilfully any way derogate from such will
at all times as occasion shall require to the utmost of
my Power defend and maintaine all such his S. R. H^{ch}
and his heirs just and Lawfull Rites Titles Inherrent
Privileges Jurisdiction prerogatives property and Dominion
ours and in the S^d Colony and Islands and Places therunto
belonging and over the People who are or shall be therein
for the same being as are Granted his S. R. H^{ch} and his
heirs by our Sovereign Lord the King Charles the Second
in his S. R. H^{ch} Patent under the Great Seal of England
not any wayes Underscore to Infringe or Prejudice Liberty
of Conscience in Point of Religion and I doo also swear
that I will with all Expedition discover unto his S. R. H^{ch}
or to his L^{ty} or other Chiefe Governor and the S^d Colony for
the time being and use my best Indavours to prevent any
Plot Conspiracie or Ambinacion which I shall know or have
Just cause to suspect or shall be intended ag^t the Person
of his S. R. H^{ch} or his heirs shall find any wayes to the dimin-
ishing or Suppression of his S. R. H^{ch} or his heirs their
Right Title Jurisdiction and Dominion afores^d or any Part
therof and I doo swear that I will not either by my selfe
or by any other Person or Persons directly or indirectly take
Accept Receive Purchase or Possesse any Lands Tenements
or Beneficiments within the S^d Colony of New York or the Islands
or Places therunto belonging from any Indian or Indians
to any other use or uses but to the use of his S. R. H^{ch} and his
heirs Lords and Proprietors of this Colony or lawfully

from any other Person or Persons not deriving a
Legal Title therunto by from or Under some Grant
from his R. H. or his Heires Lordes and Proprietors
of his Colony Legally Pass'd or to be Pass'd Under his
or their Great Seale of the said Colony for the time
being (So help mee God)

We severall Oaths of one of
the Council, a Justice of the
Peace High Sheriffe.

You being admitted of the Council to the Governour
under his R. H. the Duke of York. within those
Territories Comprehended in his Maj^{ty} Letters Patents
God Incurs by the Ever Living God that you will to
the best of your Judgement and at all times freely
give your advice to the Governour for the good Manag^{mt}
of the Publique Affairs of this Government and that
you will not reveal directly or indirectly such matters
as shall be debated in Council or committed to your Secrecy
but will in all things be a true and faithfull Councellor.
When you have therunto required (So help mee God)

High Sheriffe.

Whereas you are chosen and appointed by the Governour
and Council Established under his R. H. the Duke of York.
to be High Sheriffe for this present year 166. and ever
your heires you do sweare by the Ever Living God that
you will discharge the Trust reposed in you with a good Conscience
and Diligence and without Partiality to Person you hold by
your selfe or your sufficient Deputy Issue out all ^{such} Writts
Attachments Executions Judgements as Properly to your Office
and Punctually observe all Warrs to you directed from any
Court or Superior Authority of this Government you will from
time to time call the High Constables of each Liberty to an
Account for all fines Levied and all other Publique
monies in their hands and deliver the same to such Officer
in this behalf appointed by the Governour and Council being your best
Endevour for the Collecting and bringing the said Summes to the
Governour and Council at New York: you will also Receive

yearly a true Account and make good Payment thereof and
will in all things behave your self according to the Quality of
your office - and so help you God.

Justice of the Peace

Whereas you are Chosen and Appointed by the Governor
and Council Established Under his Majesty's Letters under the Great
Seal of Great Britain to be a Justice of
the Peace over the Jurisdiction W. N. E. Riding of York-
shire upon Long Island you do Swear by the Ever Living
God that you will truly Endeavour to the best of your Skill
with a good Conscience and according to the Laws of this
Government to give Justice Equally and Impartially to all
Men and to all Persons who shall be Committed to your Office
you are Empowered so to help you God.

High Constable and Sheriff

Whereas you are Nominated and Confirmed by the
Governor and Council Under his Majesty's Letters under the Great
Seal of Great Britain to be High Constable within the Jurisdiction of W.
N. E. Riding of York-shire upon Long Island you do Swear
by the Ever Living God that you will discharge the Trust
reposed in you with a good Conscience and Diligence in all things
whereunto you are Empowered by Law you will Execute and perform
all manner of Warrants, Writs or Summons or the Like which shall
come to your Direction from the Governor and Council the Justices
of the Peace within that Riding or the High Sheriffs of York-
shire you will truly and Diligently take the Accounts from
each Petty Constable and then deliver to the High Sheriffs
with the Names of the Constable or Constables as shall fail
in their Office in not collecting and bringing to you such Sum-
or Summs as are due to the Publick within their Respective
Towns so to help you God.

Constable

Whereas you are Chosen in your Town and confirmed by the
Justices of the Peace of the Riding to be Constable of the
Town of _____ for one year and until another be chosen in
your Place you do Swear by the Ever Living God that you will
carefully Endeavour the performing of the Peace and the Execution
and Execution of all Warrants which shall be sent unto you from the Governor

and Councils Established under the Great Charter of York.
and Faithfully Execute all such Warrants and Orders of what
Nature so ever from the Court Established by Law with your
 utmost Care and Diligence: impartially in all Faithfully
and with what Speed you can Lay out such fines rates and
sums of money due to the Relligion in such Manner or Manner
as shall be for which you shall have sufficientARRANT Rendering
an Account thereof and the same to the High Court and
with like Faithfulness Speed and Diligence: to the Poor: all
Attachments Executions Writs in Criminal Causes between
Party and Party according to the Statutes of Court and
usual: voluntary thereof: to the Court they are Returnable
in to the same Court and for that you shall frequently advise
and Consult with and where any Dis:order Arise with
your Councils and Limits by Small Accounts or otherwise
if by Law Appointed you shall appoint a prudent Number
of the Over:seer of your Councils and Limits to sit as a Court
Court for the hearing Determining or Composing all Matters
pertaining to your Cognizance and in all things Obey:—
your Obed: at & come to the Office of a Constable: and your
Duty to the Laws of this Government SOE BELP YOU
GOC

OVERSEER.

Whereas you are chosen & appointed
an overseer in the Council of You do
swear: By the Everliving God That
you will faithfully & diligently discharge
the Trust reposed in you in relation to
the publick & Common Affayres according
to prest Laws Established without favor
Affection or partiality to any person
or Cause which shall fall under yo
Cognizance as an overseer And at all
times when so shall be required by yo
Superio: to attend the private differences
of Neighbo: so will endeavor to reconcile

Them & in all Cases Conscientiously
& according to the best of yo^r Judgment
deliver yo^r Voice in the Towne Meetings
of Constable & overseers So help
you God ~

You do swear by the Everliving God
That you will Conscientiously deliver
yo^r Verdict in the cause Depending
betweene A B. & C. D. in this Court
according to the Evidence Given you &
the Lawes of this Government
So help you God: ~

You do swear by the Everliving God
That you will conscientiously Try &
truelij deliver your Verdict betweene
our Sovereign Lord the King & the
prison^r at the Barre according to yo^r
Evidence & the Lawes of this Countrey
So I help you God

you do swear by the Everliving God that
if Evidence you shall give into this Court
concerning the Cause or person now in
Question shall bee y^e Truth the whole
Truth & nothing but the Truth so help
you god

Whereas you are chosen & appointed
Marshall for this Jurisdiction you
do swear by the Everliving God To
bee true and faitfull in yo^r office Not
to suffer wittn^lij or willingly any
Prison^r committed w^o yo^r Charge to escape
nor to sett any Prison^r at libertij without
a legall warr^t for his deliv^rence as also
that you will not exact extravagant
prices but conform^e yo^r selfe to the
Rates allowed for the Lodging & diet^t
of Prison^r without fraud or corruption
So helpe you God

Whereas you are chosen Apprizer
of such goods lands houses or Cattle
which are now under yo^r consideracon
you do here swear by the Everliving
God That all partialitij prejudice
or any sinister Respects layd aside you
will apprise the same & every part
ther^e of according to the true value
ther^e of at the price now Currant
according w^o yo^r best Judgm^t and
Conscienc^e So helpe you God

W^hereas You are chosen & appointed view
of Pipestaves within the Towne of
you do sweare By the Everliving god That
at all convenient times whilst you shall
bee in place or shall bee Required to Execute
yo^r office You will diligently attend the
same & without favor Affection or Carrypa
-tion sort all Pipestaves presented to you
Rejecting such as are Not Merchantable
and make a true Entry thereof according
to law So help you God.

You do sweare By the name of the
Everliving God That in the Office of a
Surveyor you will according to yo^r Best
Skill & Ability diligently & faithfully
discharge the Trust committed to you with
out fraude or corruption So help you
God

You do sweare by the name of the Ever
-living God That in the office of a public
notary you shall demean yo^r selfe
diligently & faithfully according to the
duty of yo^r office And in all writing
Instruments & articles That you are
-to give Testimonij unto when you shall
bee required you shall performe the same
truly and sincerely according to the natu

There of without delay 6th Corin and
you shall Enter & keepe a true regist^r
of all such things as belong to yo^r. office
So help you God

Whereas you A B are chosen
packer of beefe Porke & other things
the Towne of you do herec Swearc
by the name of the Everliving God That
you will well & truly packe all Beefe
porke & other things when you shall be
there unto required. you shall packe
no kinde of goods but such as are good
and sound nor any goods in any caskc
that is not of a just & full Gage you
shall also set yo^r perticular Marke upon
all Caskc packed by you & in all
things proper to the place of a packer you
shall faitfullij discharge the same
from time to time according to yo^r best
Judm^t & Conscience So help you
God

You being admitted of the councell
to the Govern^r under his Royall high-
nesse the duke of Yorke within these
Territorijes comprehended in his Ma^{ties}
letters p^{at}ents do Swearc by the Ever-
living god That you will to the best

45
of your Iudm^t & at all Times freely give yo^r
Advice to the Govern^r for the good managem^t
of the publycke Affayres of this governm^t and
that you will not Reveale directly or indirect
ly such matt^r as shall bee debated in Councell
or committed to yo^r Secrecij But will in all
thinges bee a true and faithfull Councello^r
when you are there unto Required So
help you God. =

The Comes of Simons Attachm^t & d

To A, B of C Carpenter: You
in his Maties name are required to appear
at the next Court holden at (D) on the day
of the Moneth of next ensuing to answer
the complaint of E, F for withholding
a debt of die upon a Bond or Bill or
for two heifers &c. sold you by him or for
worke or for a Trespass done him in his
Corn or Hay by your cattle or for a Slander
done him in his Name, or for striking him
or the like And here of you are not to