

Liber P R Court) & appointing the formes and means of it, and awarding all necessary processe to that end, in such forme & vnto such effects, as the Judge shall think fitt: guiding themselves as neare as conveniently they may to the former præsidents & vsages of the Court, and in defect thereof to the formes of England in the same or the like cases (except where any thing is specially provided for by the Law of the Province. This Act to endure for three yeares from this pñt day.

8 An Act ordering some things touching the triall & iudging of causes.

The Judge may administer an oath to either party in any civill cause for the better investigation of the truth, and vpon any ones refusall, may proceed against him, as if he had confessed the matter enquired of him by oath. The defendant in any cause civill or criminall, may putt himselfe for triall, vpon the Judge, or Court, or vpon his country, or may wage his Law in cases allowable by the Law of England. If both parties ioine in the triall, it shalbe tried according their agreement. If either party desire to be tried by the country, and putt in security to pay the charge of the Jury, the issue shalbe tried by the oath of twelve ffreemen, returned by the Sheriff & thought fitt by the Judge to be admitted, vpon the exception of either party. And if the other party ioined not in the triall by the country, he that caused the Jury shall defray the charge of it, without putting it to costs. Except that in criminals extending to losse of life or member, the offender may demand to be tried by the country, without putting in any security for the charge.

The Sheriff in warning of Juries shall observe a certaine course & order of turnes among all the ffreemen of the County (the Counsell and Commissioners only excepted) To w^{ch} end the writt for warning any Jury shall not be returnable vntill fiteene daies at the least, after the delivery of it to the Sheriff. And the Sheriff vpon receiving any writt, may award out precepts to any his vnder sheriff or bailiff in any hundred or division, to the effect of the writt, w^{ch} precept shalbe of force to all persons, and the returne of such vnder sheriff or bailiff may be returned by the Sheriff

Waging of Law against an Accompt-book, may be admitted or refused according to the sound discretion of the Judge.

Where any Exequutor or Admrātor is partie to the action, the Judge may admitt such prooffe as he shall think necessary & sufficient, according to the case. This Act to endure for three yeares from this present day.