

Session
Laws
Supplemen-
tary Act re-
vived and
continued.

End of the said Three Years. *And also, That one other Act Entitled, A Supplementary Act to the Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly, begun and held at the City of Annapolis the Third Day of October, Anno Domini Seventeen Hundred and Twenty-eight, shall be, and is hereby revived and continued in full Force, during the Continuance of the first-recited Act*

p. 4 aforesaid.

Chapter IV.
[Continued
by 1746
Ch. 2 and
1750 Ch. 4]

An Act for the Advancement of Justice.

Whereas, notwithstanding the several Laws heretofore made for the Advancement of Justice, Amendment of the Law, and aiding and supplying several Defects in Judicial Proceedings, great Delay, Trouble, and Expences have been, and still are occasioned by Demurrers, arresting and reversing of Judgments, and staying Executions by Writs of Error and Appeal; there being yet no sufficient Provision made for the aiding such Omissions, Errors, and Imperfections as are usually taken Advantage of by Special Demurrers; and also for the aiding such Defects in the Entries of Clerks, as are frequently taken Advantage of, on the Prosecuting Writs of Error or Appeals, as well as divers other Advantages of other Defects, or pretended Defects or Errors, which only serve to prevent or divert the Examination of, and giving Judgment on the very Right of the Cause: For Remedy whereof,

Judgment
to be given
according
to the Right
of the
Cause,
without
Regard to
Defects in
the Action.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Actions to be commenced after the End of this Session of Assembly, the Justices of the several Courts of Law within this Province, shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear to them, without regarding any such Omission, Defects, Advantages, or Pretextes as aforesaid, so as sufficient Matter shall appear in the Proceedings, upon which the Court may proceed to give Judgment according to the very Right of the Cause, and Matter in Law, and that it shall appear that the Action shall be commenced after the Cause thereof shall accrue; and that no such Judgment shall be reversed or set aside, or Execution thereon delayed, for or by Reason of any such Imperfection, Omission, or Defect; any Law, Usage, or Custom, to the contrary notwithstanding.

This Act
not to
extend to
Treason,
Felony or
Murder.

Provided always, and be it Enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Treason, Felony, or Murder, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action, or Information, upon any Penal Statute.