

Liber
C & W II

heard and ordered upon the request of either partie And no Court may be held for the determination of any civill Cause upon any other then the days afores^d untill the holding of such Court have been published by some note sett up at the usuall Place at the least ten days before to the end all persons whom it Concerns may have notice of it This Act to endure till the end of the next Assembly

An Act providing remedy for Plantifs in some Cases

The Defendant returned served & defaulting in appearance the Judge may admitt the plaintiff to prove his demand and if he see cause may proceed to judgm^t And any writt shall be judged Sufficiently served if it, were shewen declared or tendred to the party or left at his usuall plantacōn in presence of his wife Servant mate or child of age And affidavit made that the party had or might have knowledge of it. And in case where the defend^t is not an inhabitant of the or is absent out of it the judge may give reasonable time for his answeare according to the Case and in default of answeare may admit the plantife to prove his demand & proceed to judgm^t if he see cause where any party is presented or indicted by 12 freemen to be fugitive out of the province such fugitives lands and goods may be bound by judgm^t or delivered in execution to the Creditors makeing such proof as the judge shall think Sufficient and the residue (if any be) shall be delivered to the party or parties lying within the province haveing next right to Succeed & in defect of such shall be seized to the use of the Lord Proprietarie & the goods of such person shall be disposed of as in Case of intestate This Act to endure till the end of the next Assembly

p. 85 An Act For the Formes of Proceeding in Causes

Every Judge & Court authorized or allowed by the Lord Proprietarie or the law of the Province shall or may have and use all necessary & Sufficient power for the administracōn of Justice & doeing or causeing right to be done to all persons & appointing the formes & means of it & awarding all necessary processe to that end in such form and unto such Effects & under such reasonable penalties as the judge or Court shall think fitt guiding themselves as ncere as conveniently they may to the former precidents & usages of the Court and in defect thereof to the formes, of England in the same or the like cases except were anything is Specially provided for by the Law of the Province This Act to endure till the end of the next Assembly