

II. And be it also Enacted, That if any Person shall transgress any such Rules and Regulations so to be settled and affixed, or shall neglect or refuse to obey the same, such Person shall forfeit and pay a Fine not exceeding Forty Shillings for every such Offence, and in case such Offender shall refuse or neglect to pay the Fine, then it shall and may be lawful for any Two of His Majesty's Justices of the Peace, to grant a Warrant of Distress for levying the same in the usual Manner, one Half to be to the Person complaining, and the other Half for the Use of the Poor of the Township where the Offence shall be committed, and in default of such Distress, to commit such Offender for any Space not exceeding ten Days.

Penalty on such as
transgress the Re-
gulations so made;

how to be applied,

in default of Pay-
ment, to be com-
mitted to Goal.

C A P. V.

An Act for establishing the Rate of Interest.

Be it Enacted by the Governor, Council, and Assembly, That no Person or Persons whatsoever, upon any Contract which shall be made, shall take directly or indirectly, for Loan of any Monies, Wares, Merchandise, or other Commodities whatsoever, above the Value of Six Pounds; for the Forbearance of One Hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time; and that all Bonds, Contracts, and Assurances whatsoever, for Payment of any Principal or Money to be lent or covenanted to be performed upon or for any Usury, whereupon or whereby there shall be reserved or taken above the Rate of Six Pounds in the Hundred as aforesaid, shall be utterly void, and that all and every Person or Persons whatsoever, which shall, upon any Contract to be made, take, accept, and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevizance, Shift, or Interest of any Wares, Merchandise, or other Thing or Things whatsoever, or by any deceitful Way or Means, or by any Covin, Engine, or deceitful Conveyance, for the forbearing or giving Day of Payment for One whole Year, of and for their Money or other Thing, above the Sum of Six Pounds for the forbearing of One Hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time, shall forfeit and lose for every such Offence, the treble Value of the Monies, Wares, Merchandise, and other Things so lent, bargained, exchanged, or shifted; one Moiety thereof to be to the King's most Excellent Majesty, His Heirs and Successors, for the public Use of this Province, and the Support of the Government thereof, and the other Moiety to him or them that will sue for the same in any of His Majesty's Courts of Record in the same County where the Offence shall be committed, and not elsewhere, by Action of Debt, Bill, Plaintiff, or Information, in which no Essoign, Wager of Law, or Protection shall be allowed.

Erg. Stat.
37. Hen. 8. cap. 9.

No greater Interest
than 6 per Ct. per
Annum to be taken;

if more is taken,
Bonds, Contracts,
&c. to be void;

Persons who shall
take more on any
other Contract for
Goods, &c.

to forfeit treble
Value;

Application of the
Penalty,

how to be recover-
ed.

Exceptions.

II. *Provided*, That nothing in this Act shall extend or be construed to extend to any Specialty, Hypothecation, Instrument or Agreement in Writing, that shall be made, entered into, or executed, for any Money lent or advanced, upon the Bottom of any Ship or Vessel, any Thing to the contrary notwithstanding.

Proviso that all
Contracts, &c.
upon Loan at In-
terest heretofore
made, shall be
good.

III. *Provided also*, That all Contracts and Agreements upon Loan at Interest upon any other Rate heretofore made than is prescribed by this Act, shall be good, valid, and effectual to all Intents and Purposes whatsoever, in the same Manner as if this Act had not been made.

C A P. VI.

32. Geo. 2. cap. 20.

An Act to alter the Manner of proceeding against certain Offenders, mentioned in an Act made in the 32d Year of His late Majesty's Reign, intitled *An Act for punishing Criminal Offenders*.

Preamble.

***** *HEREAS in and by the fifteenth Section of an Act made*
W in the thirty second Year of His late Majesty's Reign, intitled
“ An Act for punishing Criminal Offenders,” certain
Fines and Penalties are prescribed for Libels and other Offen-
ces therein mentioned; and whereas the Manner of prosecuting such
Offenders has been found oppressive;

Manner of proce-
ding against Persons
publishing Libels,
&c. altered.

Suit to be in a
Court of Record.

Be it Enacted by the Governor, Council, and Assembly, That for all such Offences as are recited in the Section aforesaid, the Party grieved shall not proceed against such Offenders before Justices of the Peace, but by Suit only, in any of His Majesty's Courts of Record, and that no other Penalties shall hereafter be inflicted for such Offences, except such as are usually inflicted in Courts of Record, in Cases of Criminal Prosecution for the same; any Thing in the said Section to the contrary notwithstanding.

C A P. VII.

An Act for altering the Times of holding the Courts of General Sessions, and Inferior Courts of Common Pleas at Liverpool, in the County of Queen's County.

Preamble:

***** *HEREAS in and by an Act made in the seventh Year*
W of His present Majesty's Reign, intitled An Act for regu-
lating the Times and Places for holding the several
Courts of Justice therein named; it is Enacted, That
the