

building or repairing such Dikes and Wares, as are necessary to prevent Inundations or for the Draining or Flowing of Swamps, and other unprofitable Grounds, or for working and Draining Marsh Lands shall appear expedient to the Commissioners aforesaid, and the expences thereof shall exceed the Sum of five Shillings per Acre, it shall and may be lawful for the said Commissioners or the Major Part of them, and they are hereby requested to summon the Owners of such Meadows, Marshes, unprofitable Swamps and Lands to meet on a certain Day, and at a certain Place first giving reasonable Notice of the same for the Purpose of electing five Assessors, and the said Commissioners with such Assessors or the Majority of them, shall and may, and they are hereby authorized and empowered (the said Assessors being first duly sworn impartially to execute the said Office) to assess and Tax all such Persons as shall be Owners as aforesaid towards the Charge of repairing such Dikes and Wares and draining such unprofitable Grounds having regard to each Person's Quantity and Quality of Land, and the Benefits to be received thereby according to the best of their Judgment.

If the Expences of dying exceed 5s. per Acre Commissioner's to summon the Owners of the Lands to chuse five Assessors who with the Commissioner's may Assess and Tax such Owners according to the Quantity and quality of their Lands.

C A P. VIII.

AN ACT in Amendment of an Act for regulating the manner of issuing Process and Execution from the *Inferior Courts of Common Pleas* for the several Counties in this Province, and for altering the Form of the Summons heretofore used by his Majesty's Justices of the Peace, also in Amendment and declaratory of the Act for the Summary Trials of Actions.

*** E it Enacted, by the Lieutenant Governor, Council and Assembly, That from and after the Publication hereof, all
 * B * Summonses issued by Justices of the Peace, shall be directed to either of the Constables of the County where the Justice issuing the same shall reside, and that the Party or Parties against whom such Summons shall issue, shall have three Days Notice to appear to such Summons, exclusive of the Day of Service, and the day of appearance, and where the Constable shall not be able to make a personal Service, a Copy of such Summons shall be left by the Constable, at the Defendant, or Defendants House, or last Place of Abode, with some Person residing there, of which Service the Constable shall if thereto required make Oath.

Summons issued by Justice of Peace to be directed to Constables, party to have three days notice, if personal Service cannot be made to be left at the Defendants last place of abode, of which Constable to make Oath.

Service 1s. 3d. per
Mile Travel.

II. *And be it further Enacted*, That for the Service of such Summons, the Constable shall have one Shilling, and three Pence per Mile Travel, to be computed from the Justices Residence.

And whereas doubts have arisen respecting the Power of Justices in taking Cognizance of certain Civil Actions.

Justices not to have
Jurisdiction of Debt
for Rent, Trover,
Case for Words,
Trespase, Assault
and Battery, false
imprisonment or
where Title to
Lands come in
question.

III. *Be it therefore Enacted*, That from and after the Publication hereof, no Justice of the Peace shall entertain or have any Jurisdiction of any of the following Actions, (to wit) of Debts for Rent, Trover or Conversion, or Actions on the Case for Words; or Actions for Trespase, Assault, and Battery; or false Imprisonment, or where the Titles of Land shall in any Ways come in Question.

C A P. IX.

AN ACT in Addition to an Act made in the fifth Year of the Reign of his present Majesty, intituled, An Act for the raising Money by Presentment on the several Counties in this Province, for the defraying certain County Charges therein mentioned.

HEREAS the Clerks of the Peace in the several Counties in this Province are by Virtue of their Office obliged to do and perform certain Services for which no Payment is by Law established; for Remedy whereof.

Grand Jury to pre-
sent Sums necessary
for payment of
Clerk of the Peace.

I. *Be it Enacted by the Lieutenant Governor, Council and Assembly*, That it shall and may be lawful for the several Grand Juries in each of the Counties in this Province, either at the Court of Assize or General Sessions of the Peace to be held for such County on proper Representation made thereon by the Justices in their General Sessions, to present annually such Sum or Sums as shall by them be deemed necessary for the Payment of the Clerk of the Peace for his Services in that Office, for which no Provision has hitherto been made.

C A P. X.

AN ACT to provide a suitable Place for the General Assembly and 'King's Courts to sit in, and for other public Purposes.

HEREAS the Destruction of the Court-House by Fire, and the inconvenient Situation of the present Assembly House makes it necessary that a more suitable Place should be provided for the public Service, and whereas the State of the Province Finances will not at present admit of the Expence of building a proper Place, for these and other Purposes.

I. Be