

peace to be held half yearly in each county, shall be and continue the grand inquest of the county until another grand jury shall be sworn in at the ensuing general sessions of the peace in the said county.

Members of the Council and of the Assembly, &c. excused from serving as jurors.

VIII. *Provided always, and be it enacted*, That the members of his Majesty's council, the members of the assembly, the treasurer of the province, register of deeds, chief surveyor of the crown lands, secretary of the province, clerks of the council, and of the assembly, officers of his Majesty's customs and naval officer, attorneys at law, officers of his Majesty's courts, physicians, and surgeons, shall be excused from serving as jurors.

Grand and petit jurors to be fined for non-appearance when called

IX. *And be it further enacted*, That every person or persons so summoned as aforesaid to serve as a grand juror, and who shall not appear after being openly called three times, upon oath made by the summoning officer that such person so making default had been lawfully summoned, shall forfeit and pay for every such default, such fine, (not exceeding the sum of three pounds, nor less than twenty shillings) as the judge or judges presiding in said court shall think reasonable to inflict or assess, unless some sufficient cause of his absence be proved by oath, affidavit or affirmation, to the satisfaction of the said judge or judges. And that every petit juror so summoned as aforesaid to attend at any court of record in this province, and making default on proof so as above set forth, of their being legally summoned, shall forfeit and pay for every such default, the sum of five shillings, unless some reasonable cause by proof as above directed, be assigned to the satisfaction of the judge or judges who sit to try the cause.

Amount of fines not to exceed £3.

*Provided always*, That the amount of the said fines to be levied on each jurymen for the several defaults at one term, shall not exceed the sum of three pounds.

## CAP. VII

An ACT to empower the FOREMAN of the GRAND JURIES to administer the usual OATHS to such WITNESSES as are to be examined before them.

Preamble.

WHEREAS the sending such witnesses as are required to give evidence to the grand juries to be sworn by the court is attended with many inconveniences and delays, to prevent which,

*Be it enacted by the Governor, Council and Assembly,* that every person, who may hereafter be appointed foreman of a grand jury, shall from the time of his appointment till his discharge, be empowered, and is hereby authorized to administer the usual oaths to such witnesses as shall come to give evidence to the grand jury whereof he is foreman—and if any person being so sworn, shall give any false evidence, wilfully and corruptly, and be thereof lawfully convicted, every person so offending shall for every such offence, suffer such penalties, forfeitures and disabilities, as persons convicted of wilful and corrupt perjury are liable to.

Foreman of grand jury to administer oaths to witnesses.

### Cap: VIII

A BILL entitled an ACT for enabling the JUSTICES of the SUPREME COURT to try all causes at *NISI PRIUS* and authorizing ATTORNIES of the SUPREME COURT to practice in the inferior courts of COMMON PLEAS within this province.

*Be it enacted by the Governor, Council and Assembly,*

THAT the justices of the supreme court, or any of them, shall have full power and authority to hear and determine in the severall and respective circuit courts, which shall from time to time hereafter be for that purpose appointed in the province, all causes brought to issue in the supreme court, without a commission being expressly made for that purpose.

Justices of the supreme court to try causes in the circuit courts.

*And be it further enacted,* That all and every of the Attornies of the supreme court, may commence, prosecute, or defend any action or suit for his or their clients in any inferior court of common-pleas within the province.

Attornies of the supreme court may practice in inferior courts.