

Robt. Edwards

Co

Leges Illustrissimo Principi Jacobo Duce  
Eboraci & Albani &c  
Instituta & Ordinata

Ad observandum in Territoriis America

Transcripta  
Anno Domini

1684

[*vide Smiths History of New York [Albany Ed<sup>o</sup> 1694] pag. 123*]

Ius  
Nova Eboracensis  
vel

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## Absence.

If any Justice of the Peace or High Constable shall be absent from the Sessions hold within that Riding where he is in habit or from the General Court of Assizes he shall pay for every day's absence 10. and every party installed for each default shall pay 5. unless one of the Justices who shall be nominated by the Jury do give Attendance on the Court in his Place with the Constable's Staffs. Provided also that it shall be Lawfull for the Justices upon the Bench to discharge any Constable from his Appearance, if they shall think fitt.

## Actions.

That all Actions of Debt account Bond and Actions of the Case concerning Tolls and Accounts shall be tryed within that Jurisdiction where the Cause of Action doth arise.

In all Actions of what Nature soever not Exceeding the Value of 100. between Neighbourhood Arbitration of two Indifferent Persons of the Neighbourhood shall be Concorded which Persons are to be nominated by the Constable of the Place before it be brought to a Court of Law and if either or both Parties shall refuse upon any Protoned to stand to Arbitration then the Court shall determine the Case at Law and shall call on the next Justice of the Peace upon the Complaint of the Party that opposed Arbitration to both parties and if they accept thereof the Justice is to nominate the Arbitrators but if either Party refuse then the Justice is to give forth his Warrant as the Accours requireth.

In all Differences Under 5. not tryable in Sessions the Constable is to have 1. for nominating Arbitrators to whom if the Difference be referred they shall 4. vs. each if the Accoun be brought to the Justice he shall have 4. vs. for nomination and the Arbitrators be appointed 4. vs. each.



In Towne Courts the Constables and Overseers are  
to give their Judgements by the Major Vote where six  
with the Constable or Seven in his Absence are competent  
and Equivalent to a Jury: and the Constable upon Equall  
Division to have a Casting Voice.

That to prevent the Trouble of too frequent holding of  
Towne Court to a Court may be hold in Each Respective Towne  
at some Convenient Certain Time, Either once in 2 or 3 or more  
as shall be Judged most fit and if any shall desire to call a  
Court any other Time that then he pay for the Charge and  
Trouble thereof as it shall bee Reasonably adjudged by the Court.

The Fees belonging to the Towne Courts shall be halfe of  
what shall be allowed at the Sessions as the Fees of the Court of  
Sessions are halfe of the Fees of the Assizes.

All Accions and Causes from the Value of 5<sup>te</sup> to 100<sup>te</sup> shall be  
tried at the Sessions within that Jurisdiction from whence there is  
to be noe Appeal Unless the Debt Approach to be above the Sum  
of 100<sup>te</sup> or where there is Doubtfulness in the Expression of the Law  
which Doubt made by one if it tends to the Casualty or Detraction of  
the other & by the Person the Offending shall pay all the Charges.

Titles of Land as well as other Accions are to be tried in  
Sessions unless being above the Value of 100<sup>te</sup> they shall bee  
ordered to be tried at the Assizes by the Speciall Warrant  
from the Governor.

Any Accions of Debt or above the Value 100<sup>te</sup> they shall bee  
ordered to be tried at the Assizes by Speciall Warrant from  
the Governor.

Where the Originall plaint is Matter of Equity the Proceedings  
shall be by offering of Bills and Subpoenas in Answer upon  
 oath by Examination of Witnesses in like manner as is used in  
the Court of Chancery in England; and due regard must be had  
that the Defendant have timely Notice thereof as is Appointed  
at the Common which is Eight Days warning before the Court  
shall sit.



All Actions of Assault or Battery, Breach of the Peace or the Like, are to be tryed at the Sessions Within the Jurisdiction where the Offence is committed, for which the said Justices of the Peace may take Warrant, or commit such Offender, to Prison till the next Sessions.

If any Person shall Pleade his Debt or Trespasse to be abroad and on the hearing, it shall Appear to the Court to come under that Value in such Cause, the P<sup>l</sup> shall Lose his Action and Pay the Defend<sup>t</sup> Costs.

Any Person removing his Suits by Petition or removing Cause, to the P<sup>l</sup> shall pay the whole Charges of the Court and by Default to a fine. But if the Def<sup>t</sup> shall be in the fault the Court Charges shall be imposed on him.

Any Person falsely Pleading great Damages and Vexes his Adversary shall pay Treble Costs Damages.

The P<sup>l</sup> at the Entry of his Action shall Enter into a Recognizance to Pay in Days last of a Jury, for each Action that be Draught to be tryed at the Assize or Sessions.

All Actions shall be entered by the P<sup>l</sup> and filed in the Clerk's Office with his Declaration Eight Days before the Day of Hearing to the End that the Defend<sup>t</sup> may if he please take a Copy thereof and provide his Answer, which is also to be filed by the said Def<sup>t</sup> and the Judgment is for the P<sup>l</sup> shall be Enforced on the Declaration if for the Defend<sup>t</sup> upon the Answer and all Evidence concerning the Cause to be filed together, and remain in the Hands of the Clerk.

Those that Live at great Distances from Courts are to have the Heads of the P<sup>l</sup> Declaration Left at the Place of their abode, as well as the Summons Eight Days before the Tryall.



The Pl<sup>t</sup> may have Liberty to Withdraw his Acc<sup>n</sup> and be  
non-suited if he so pleas<sup>s</sup> before the Jury have given  
their verdict; but he shall pay full Costs and Charges to  
the Def<sup>t</sup>.

Where an Acc<sup>n</sup> hath been once Entered for Procs in Court  
although the Difference shall be composed between the Pl<sup>t</sup> &  
Def<sup>t</sup> they come to a Trial yett the Pl<sup>t</sup> shall Enter such a  
Groomant in the Bands of the Clerk of the Court and so shall  
have Lib<sup>t</sup> to take his Acc<sup>n</sup> off the file paying only for the  
Entry of the Groomant as for the Entry of the Acc<sup>n</sup> upon  
forfeiture of 5<sup>s</sup> for each Session while his first Entry of the  
Acc<sup>n</sup> remains upon the file.

## Administration

Upon the Death of Any Person the Constable with two Overseers  
of the Parish shall repair to the house of the Deceased Party  
to Enquire after the Manner of his Death and of his Will and  
Testament, and in Case None Shall Appear, or Shall be Produced  
it may be taken for granted that the Person dyed Intestate; and  
in the presence of the Widow, Children, and other Relations if  
Any such there be, or if any refuse to be Present it shall be  
Lawfull for the Constable in the presence of the Overseers to  
make a due Search and Inquiry after the Estate of the Deceased  
and within Eight and forty hours after, he is to Deliver in  
writing and upon Oath his full Knowledge to the Next Justice  
of the Peace, and the said Justice of the Peace is Empowered to  
send out Warrants to take Security Against any Imbezzlement  
or Disposall of the said Estate under any pen<sup>al</sup>ties whatsoever -  
until the Next Court of Sessions where all Causes of Administration  
within that Liberty shall be Adjudged.



The Estate of all Persons dying intestate who have neither  
his Reliance of Children Brothers or Sisters or their Children  
Uncles or Aunts or their Children for want of such Success shall  
belong to his Royall Highness. Provided always that such  
Escheating shall not hinder the Lawfull Claims of any such  
Reliance as aforesaid if it be made Appoyed upon Oath  
to the Court Within one Year and six Weekes or two Yeares where  
the Party concerned inhabit Out of the Countrey.

That no Administration be granted untill the Second Session  
after the Decesse. Except to the Widow or Child Brother or Sister  
to whom it may be immediately granted. ~~the said~~ Widow or Child  
Brother or Sister bringing Sufficient Security for the Performing  
of all things the Law requires and saving the Court harmless.  
and in case the Widow or Child Brother or Sister doe Administ.  
the Estate shall be Inventoyed and Appoyment made by four  
men Appoynted by the Court and Sworn by a Justice of the Peace.  
Whose Inventory or Appoyment shall by the said Widow or  
Child Brother or Sister be brought into the next Court of Sessions  
Unless the Court for reasons shewed them may think fit to grant  
Liberty to bring it in the Court following. But in case the Decedent  
dy. Without Widow or Child Brother or Sister then the Estate for  
the better improvement thereof shall be sold by order of the Court  
at an outcry, and all the Purchasers shall put in Security and  
acknowledge Judgments for their Debts, which by the Court shall  
be Assigned to the severall Creditors of the Decedent and paid  
according to the priority of Law and the Surplusage remaining if  
any be delivered to the next Assignee of the Decedent if he  
appear or if none appears himselfe such within one year and  
six Weekes or within two yeares where the Party concerned inhabit  
out of the Countrey then the Court to give an Account of the said  
Surplusage to the Govern. and when the Widow or Child  
Administ. the Surplusage after Debts paid and the funerall  
charges according to the Quality of the Person allowed for shall  
be Equally Divided betwixt the Widow and Child. Provided  
the eldest Sonne shall have a Double portion and where there be  
no Sonnes the Daughters shall inherit as Apleas and if any  
of the Children shall happen to dy before it comes to a share his  
Portion shall be Divided Among the Surviving Children.



Whoever Finds to Administer upon any Estate shall  
bring to the Court sufficient Security before the Orders  
shall be granted, And an Order thus Obtained Legally by  
giving such Security to be truly Accomptable to bring in a  
true Inventory and to Performe such things as Administrators  
by Law are Enjoyed, shall not at any time after be removed  
unless the Py that Obtained the same by or for he hath given  
an Accompt of the Estate and Obtained the QUICKUS in which  
case the Court is Empowered to grant the Administration of that  
Estate to not Accompted, for to some other Person who may be  
virtue thereof call the Executors or Administrators of  
the former Administrator to Accompt, who shall Pay out of the  
Deced's Administrato. Estate all such Dotts as shall be found  
due to the Estate he Administred upon in the first Place.

A QUICKUS is to be procured within a year and Six Weekes after  
a Licence Granted, or will proved.

If any Person shall renounce his Executorship or that none of  
his Friends or Kindred of the Deceased party shall Intestate  
shall seek for Administration of such Persons Estate. Then the  
Constable of the Towne where such person shall dy shall give  
Notice thereof to the Court of Sessions that so the Court may take  
order thereon as they shall think most who shall also allow such Con-  
stable due recompence for his pains but if the Constable failes he shall  
forfeit xxv.

If any Executors nominated in any will and knowing thereof shall not  
prove the same at the next Court of Sessions, which shall be about  
thirty dayes after the Deced's of the Py or Cause the same to be proved  
by the records or Clerk of that Court with in which Jurisdiction ~~the~~  
such ~~person~~ the deceased py Last dwelt, or if any other Person what-  
soever shall not within the same time take Administration of all  
such goods as he hath, or shall Enter upon of any Partes Deceased  
Except for buying of the party Deceased, or if any Person or Persons shall  
Alien, or imbezzle any Land, or goods before they have proved and  
recorded the will of the deceased, or taken Adminice Every such Person  
Administ'ing or Execut'ing shall be Lyable to be sued and shall be bound  
to Pay all such Dotts ~~respectively~~ as the deceased Party Owed whether the  
Estate of the deceased have sufficient for the same or not and shall also  
forfeit whatsover shall be thought fit to be imposed by the Court  
of Sessions.



That the Clarke of the Sessions when he carries the Probates or Commissions of Admicon to be Signed do then also certify into the Records Office, at New York the Name of the Testator or the Party deceased the Executors or Administrators and their Surety of the County and Parish where he dwelt and the Court where in the Admicon is granted to this end that the Strangers and other Creditors in debt in the Estate may be the better Enabled to find out the Records in which the Receipt of the Estate is Entered and be informed how they may come by their Just Dues.

That all Originall Bills after having been proved at the Generall Court of Assizes or at the Sessions and returned into the Office of Records at New York shall remain there and the Executors or Administrators shall receive a Copy thereof with a Certificate of their being Allowed Afforded under the Seals of the Office PROVIDED always that the said Bills or Administrations be of such Estates as shall be of or above the value of one Hundred Pounds but if they shall happen to be under that Value that then they be only recorded in the Counters where the Parties deceased and at the Sessions.

Wills to be proved and admicons granted in Sessions if the Estate be under the value of one Hundred pounds shall pay one Shilling, if one Hundred pounds five Shillings and six Proportionable farthings for each one Hundred pounds towards the Defraying of Court Charges.

Constables are to have a competent Allowance for the time they spend in Search and inquiry after the Estate of the deceased to be made by the Justice of the Peace before whom he shall take his Oath of the Truth of what he is to deliver in concerning the Estate.

That the Appraisors of the goods of any one dying intestate shall have Satisfaction allowed them by the Court of Sessions at the time of their Return.

Memorandum that what is therein spoken of Executors and Administrators the like is meant and Intended also of Executors and Administrators who in such cases are to have the same Priviledges.



## Amerciaments

All amerciament and fines that are not expressly Regulated because the Meritt of the Cause or Offence cannot be foreseen shall not be imposed at the Discretion of the Court.

That all fines and Amerciaments be collected by the Petty Constables who are to give in an Account of them to the High Constables Eight Days before the Sessions Entering and the High Constables shall give in their Accounts to the High Sheriffs Eight Days before the next Assizes.

## Appearance

It shall be Law full for the Pl<sup>t</sup> or Def<sup>t</sup> to take out a Supplic<sup>n</sup> from a Justice of Peace the High Sheriffs or under Sheriffs or Common Witnesses to give in their Evidence in Case they will not appear Voluntary (and the Witnesses for Supplic<sup>n</sup> will not appear) all the Sessions for fine or for non Appearance at the Assizes forty Shillings or such other fine for punishment as shall be adjudged by the Court for Damages due to the Cause by his Non Appearance.

Provided that no man shall be Punished for Non Appearing at or before any Court or Court of Law for the Omission of any Office or Service if he shall be necessarily hindered by any Apparent Act or Providence of God which he could neither foresee nor Avoid Provided also that this Law shall not Prejudice any part of his Past Costs Damages in Civil Actions.

## Appeals

That no Justice of the Peace that hath sat as Judge or Doct<sup>r</sup> in any Inferiour Court in that Cause he is Appalled from shall be any Vote in the Superior Court. Excepted to but the Cause shall be then Determined by such as are now Judges engaged in the Cause by Judging or Voting formerly. And in all Cases of Appeals the Court Appalled to shall give the Cause according to former Evidence and not otherwise. Unless some Material Witness was not then in the County to necessarily hindered from giving in Evidence at the Assizes only rectifying what is amiss therein and where Matter of fact is found to agree with the former Court and the Judgment according to Law, not to reverse the Judgment or Sentence, but to abate or increase Damages as shall be thought right.



That in all cases of Appeals the Appellant do put in good Security for prosecuting the Appeals and Payment of Damages to the Def. if the Appellant be fast in the Suits for his unjust Moléstia.

If the Cause of Appeals be of a Criminal nature the party shall put in Security for the good behaviour also until the bearing out of the Cause be Capitall and the person condemned shall Appeal he shall be kept in Payle till the next Assizes and then Prosecuted & tried accordingly.

All Appeals with the Security aforesaid shall be recorded at the Chancery of the Pry. Appealing and Certified to the Court to which they are made and the Pry. Appealing shall briefly in Writing under his own or his Attorneys hand give into the Clerk of the Court from which he did Appeal the grounds and reasons of his Appeal Eight days before the beginning of the Court to which he did Appeal to which Court the said Clerk shall return the said Writing and give Copies thereof to the Def. and Whosoever shall Appeal from the Sentence of any Court and not prosecute the same to Effect according to Law shall besides his Bond to the Pry. forfeit to His Royal Highness five for every such Neglect.

The Security to be given for prosecuting of Appeals shall be taken by the Court the party Appeals from and after the Prosecution of any other Suits at the Assizes Security shall be given into the Clerk of the Assizes.

All Appeals are to be made by Way of Petition to the Governor and Council and the Appellant shall pay 10. upon the delivery of his Petition on or about 5. to the Clerk of Assizes for entering the Appeals.

## Apprehement of Goods.

That the Def. and Def. shall chuse each of them two Indifferent men for that purpose and in case of Disagreement the said Def. or any three of them shall chuse an Impartial Imparior for Chosen shall be sworn by the next Justice of Peace to Apprise such goods Indifferently, and his Impariage to be final and if the Def. or Def. shall not appoint Appraisers within three days after Execution is showed Notice being given them by the Sheriff too whom it was directed that then the Sheriffs in such such cases of Neglect shall chuse and appoint Appraisers either for the Pry. or Def. for Appraising the goods aforesaid upon Execution at aforesaid.



The Person who shall be nominated and chosen Appraisers of  
good lands or hereditaries shall be taken in Execution and  
to be allowed 4.8 pound for what shall be by them so appraised  
which is to be paid by the Party cast in the Suits and taken  
Accordingly.

That before such Appraisal the Sheriffs shall remove the  
goods out of the Possession of the aforesaid Party cast and the  
Surplusage if any be is to be returned to him but after Apprai-  
ment made as ~~the~~ <sup>the</sup> property to rest in the Sheriffs for  
the use of the Creditor to whom the Sheriffs shall give notice  
that he may take them into his own Possession and because there  
can be no return against the record the Sheriffs shall make  
return of the Execution to the Clerk of the Assizes or Sessions  
that signed by Order of the Court by him to be entered upon  
record under the Order it was issued upon that to the Satisfaction  
as well as Judgment may be authentically proved if Occasion Requires

## Arrest

That no Sheriffs or other Officers shall execute any Writ  
or Warrant upon any Person or Persons either upon the Sabbath Day  
upon the Day of Humiliation for the Death of our Late King or  
upon the Day Appointed for Thanksgiving for his Majesty's happy  
Restoration or upon the first Day of November Provided -  
always that it shall and may Lawfull for the Sheriffs or any  
other Officer to apprehend and carry to prison any Person or  
Persons for Treason Felony and Breach of the Peace or Escape  
out of prison upon any Execution upon any Day at any Place -  
Any thing in this Law to the contrary notwithstanding all that comes  
to the Sessions or Assizes for publick Service or upon Compulsion  
upon Complaint or Examination of the Matter by Oath shall be freed  
from any Arrest during their Occasions so long as the Court  
sits.

All Arrest Writs Warrants and Proclamations are to be  
in his Royall High<sup>ness</sup> name.



NOR Person shall be arrested for any Debt or fine until the time that the Debt or fine shall become due is expired unless it doth appear upon Oath that the Debtor doth intend to convey himself away or purposed to avoid the Action and Defraud his Creditors in which case he shall not be arrested but by Special Warrant.

NOR High Sheriff or Justice of the Peace may at any time grant a Special Warrant but during the time of the sitting of the Court of Sessions the whole Bench may grant it.

If any Suits or Action depends between any two Persons of our County the one shall not cause the other to be arrested in any other Jurisdiction upon any pretence but by Special Warrant provided that the privileges of the Corporation of the City of New York be not infringed but that shall not may be Lawfull for any of the Inhabitants thereof to arrest a Debtor in the said City though the Place of his abode shall happen to be in any other Towne within this Government and the person so arrested to sue and implead in the City Court any Law to the contrary in any wise notwithstanding.

Whoever shall upon any pretence of Debt or Transpasse arrest any Person with intent to Disenable him from giving in Testimony in any Cause depending or from prosecuting any Suits in which he shall be engaged shall be punished by Fine and imprisonment at the discretion of the Court and the Person so arrested shall be set at Liberty neither shall the Cause for want of such Evidence whilst under Arrest be adjudged to the prejudice of either Plaintiff or Defendant.

Any Person under Arrest except in Cases not Bayliffed may be set at Liberty to prosecute Answer or give in Evidence at the Sessions or Assizes Security being given for his return to Prison and in Case no Bail or Security can be given the Court may send for the party by Special Warrant.

NOR man or woman shall be longer imprisoned for Debt or fine when he can find Surety for his Answering the Suit or paying the Debt and if it shall appear to the Court that the Debtor impleaded hath a competent means to give Satisfaction out of his Estate real or personal for the said Debt then the Court shall discharge the Person and Secure the Debt out of the Debtors Estate.



All Persons of known Estates who to geth Strife refuse  
the Payment of their Just Dots if Arrested and Imprisoned  
shall be kept at their own Charge and not the P<sup>ts</sup> List -  
Security be given or Satisfaction made PROVIDED that no  
man shall be kept in Prison for Debt or fine Longer  
then the Second Day of the Next Sessions after the Arrest -  
unless the P<sup>ts</sup> shall make it appear that the Person Arrested  
hath some Estate which he will not produce in which case  
the Court may Authorise an Oath to be Administered to the Party  
or any other Suspected to be Privy in concealing his Estate  
and the Court shall also Order if no Estate shall be found  
that the Debtor shall Satisfie his Debt by Services of the  
Creditor so require as also the Charges of his Arrest  
and Imprisonment.

## Assessment

All Assessment shall be made by the Constable and the Eight  
Freeholders of the Parishes Proportionally to the Estate of the  
Inhabitants in the Town or Parish where such Assessment -  
is to be made and Every Inhabitant who shall not contribute -  
to all Charge both Civil and Ecclesiasticall proportionally to  
the rate so Assessed shall be Compelled therunto by Attachment  
or Distress of goods to be Levied by the Constable PROVIDED  
that no man shall be Assessed for Estate real or Personal  
which Lyeth not within the same Town or Parish where  
he is Assessed.

That the Justices of the Peace only shall be Exempt from  
paying any Publique Assessment in the Parish where they Inhabit  
during the time of their bearing Office Paym<sup>t</sup> to the Church  
only Excepted.

The Towns of Assen<sup>m</sup> shall be Certified in Writing into  
the Sessions and the Justices are Empowered to release any  
inhabitant by Abatement who shall make it appear that  
he is Overcharged.



In Case of the Necessary or Casual absence of one two or more  
of the Overseers where the Assessor or other Duties are to be  
performed relating unto the Constables and the Eight Overseers  
it shall be Lawfull for the Constables and former Overseers to  
act and determine as if the whole Number were Present &  
if any one Overseer shall happen to die during the Term of his  
Office, it shall be Lawfull for the rest of the Overseers  
by the Major Vote to chuse another in his place and he shall  
be chosen upon refusal of the said Office shall forfeit to  
the Town Ten pounds towards Defraying Towns Charges

## Assault

Assaults are made either by Blows or offering of Hurtfull  
Blows or at least by Threats and menacing Speeches  
to rebuke an Officer with foul words so that he depart  
with fear without doing his Office shall be taken for an  
Assault.

A Servant or Workman convicted by Confession or two  
witnesses for Assaulting his Ma. Dame or Overseer shall be  
imprisoned till the next Sessions where he shall be brought  
to answer for the fault and to receive what Corporall  
Punishment the Court shall Judge Saving Life & Member

In Defence of himselfe his wife Father or Mother Children  
or Servants a man may Lawfully use force to resist any  
Attempt made to that Purpose

## Assize

The generall Court of Assizes shall be hold but once  
in the year which shall begin on the Last Thursday in  
September at New Yorks unless it shall be called speciall  
Warrant at some other time to hear and determine  
some Extraordinary Cause which requires a speedy Dispatch

Not other Process shall Issue forth for the tryal of  
actions at the Generall Assizes but the Generall speciall  
Warrant Except in Cases of Appeals.



Upon information of any Court of Sessions to the Govr.  
and Councell of any Capitall Offend. Within the Court  
of Admirals shall happen to be within two Months time  
after such information the Govr. and Councell shall  
give forth a Warrant of arrest and Commitment for the more speedy  
tryall of such an Offender.

### Attachment & Summons.

It shall be in the Liberty of every P<sup>ty</sup> to take out  
either Summons or Attachment ~~against~~ against any Defendant  
Provided that no Attachment shall be granted in any  
Civill Action before the P<sup>ty</sup> hath given sufficient Security  
or Caution to prosecute his Action and to Answer the Def<sup>t</sup>  
such Costs as the Court shall Award him.

That in all Attachm<sup>ts</sup> of goods and Chattels or of Lands  
and Hereditaments Legal Notice shall be given to the Party  
or Left in Writing at his house or usual place of abode  
otherwise the Writ shall not proceed notwithstanding if he be  
out of the Jurisdiction the Cause shall proceed to tryall but  
Judgment shall not be entered before the next Court and if  
the Def<sup>t</sup> do not then Appear Judgment shall be entered  
~~before the next Court and in the Def<sup>t</sup>'s absence~~  
But Execution shall not be granted before the P<sup>ty</sup> hath given  
Security to be Responsible to the Defend<sup>t</sup> if he shall reverse  
the Judgm<sup>t</sup>. Within one year or such further time as the  
Court shall Limit.

That no Summons Pleading Judgm<sup>t</sup> or any kind of Proceedings  
in Courts or Courts of Justice shall be Abated Arrested or  
Reversed upon any kind of Circumstantial Errors or Mistakes  
if the P<sup>ty</sup> and Cause be rightly Understood and intended -  
By the Court and in all Cases where the first Summons are not  
served eight days unclusively before the Court and the Cause  
briefly specified in the Warrant where Appearance is to be made  
by the Party Summoned it shall be at his Liberty whether  
he will appear or not Excepting Cases that are to be heard in  
Court suddenly called in Extraordinary occasions by special  
Warrant.



# Attourney

That no Justice of the Peace whilst he is in com. be an attourney in any case.

That no High Sheriffs Under Sheriffs High Constables or Petty Constables or Clerks in the Court shall be Permitted to Plead as an attourney in any Pleas or Suits in the Court where no Officials are provided always that if any poor Person not able to Plead his Cause shall request the Court to Assign him the High Sheriffs Under Sheriffs High Constables Petty Constables or Clerks to plead for him it shall be Lawfull for the Court to grant it and for the Person to plead Accordingly but the Person so pleading the poor mans Cause is not to give Judgm. Provided also that any High Sheriffs under Sheriffs or High Constables Petty Constables or Clerks acting as Generall attourneys for any Person absent out of the Country and negotiating their Affairs and soe Liable to be Sued for their Employers such Persons shall have Liberty also to Plead and Prosecute in any Cause that shall in any way concern their said Employers.

# Bailement.

As the Saving and Delivering a man from Prison before he hath satisfied the Law by finding Surety to Answer which is Justificable by Law.

The Person Bayled is to be Delivered into his Sureties Hands.

If the Sureties afterwards shall Doubt the Escape of the Prisoner Bayled a Justice of the Peace (upon Prayer) may discharge the Sureties and Commit the Party to Prison until he find other Sureties such as the Justice shall Accept.

To Bayle one not baylable is a Negligent Escape in the Justice of Peace or in any other Person authorized to take Bayle.

To Bayle one contrary to Law is fineable which is to be Interpreted for Bayling Persons Comitted either by Speciall Warrant or for Capitall Offences.



## Barratry

If any man be Indicted proved and Judged a common Barred  
wearing others with unjust frequent and endless Sutes it  
shall be in the Power of the Court both to reject his Cause  
and Punish him for his Barratry by fine or Imprisonment.

## Ballast

That no Ballast shall be taken from any Town or Shire  
by any Person whatsoever without Allowance under the hand  
of the Constable and two Overseers upon the Penalty of Six  
Pence for Every Shovel full taken unless such Stones as  
as they had Laid there before) and that no Ship or other  
Vessel shall cast out any Ballast in the Channell or other Place  
inconvenient in any Harbour within this Government upon the  
Penalty of ten Pounds.

## Bills

That any Debt or Debts due upon Bills or other Specialty  
assigned to another shall be as good Asset and Estate to the  
Assignee as it was to the Assignor at the time of its Assignment  
and that it shall be Lawfull for the said Assignee to sue  
for and recover the said Debt due upon Bill and so Assignor  
as full as the Original Creditor might have done Provided  
the said Assignment be made upon the backs of the Bill or  
Specialty or on some paper or Parchment annexed to it.

## Bond Slavery

None Christian shall be kept in Bond Slavery Villinage or  
Captivity Except such as shall be Judged therunto by Authority  
or such as willingly have sold or shall sell themselves in which  
case a record of such Servitude shall be Entered in the Court of  
Sessions hold for that Jurisdiction where such Master shall  
Inhabit Provided that nothing in this Law contained shall be to



10  
The Prejudice of Master or Dame who have or shall by any Indenture  
or Covenant take apprentices for Terms of years or Life and also  
Provided that this Law shall not extend to sell at Liberty any Negro or  
Indian Servant who shall Turn Christians after they have been bought  
by any Person.

## Bounds.

That Every Town shall set out their bounds within Twelve  
months after their bounds are granted and that when their  
bounds are set out once in these years three of the Overseers  
of the Town (appointed by the Next Justice) shall appear with the  
adjacent Towns (the Antientest to give notice to the Neighbour  
Towns to go the bounds betwixt their said Towns and Renew  
their Marks.

The time and Ambulation to be between the Twentieth and Last  
of May and at the Charge of Each Particular Town upon the  
Penalty of five pounds for Every Town that shall Neglect the  
same.

If any Particular mans Towns Lot or Lands Lying in Common with  
Others and he shall refuse to go the bounds betwixt his Lands and  
other mens ones again being requested thereunto upon one Weekes  
Warning he shall forfeit for Every day so Neglecting ten Shillings  
one half to the Party moving there to and the other half to  
the Town.

And whereas many Contentions Sutes do Arise about the  
bounds Limits and Titles to Lands appertaining either to Towns  
or Particular Persons occasioned Much through the Misbehaviour  
fraud of Pretended Surveyors.

App Prouention whereof for the future no Surveyor of Lands shall  
give a Plan of any Lands Surveyed by him unto any other Person or  
Persons whatsoever then such as employd him within Six months after  
such Plot is drawn according to the Survey and that one Plot so  
drawn describing the bounds and Limits of the Town shall be  
Kept in the records of each Particular Town and another Plot so drawn  
delivered into the Clerk of the Court of Sessions to which that Town  
relates within seven months after the Survey shall be made.

All Lands Patents bounds and Limits of Towns are to be Recorded in  
the Office of Records at New York: as well as in each Particular Town and  
all the Sessions.



# Brewers

That no Person whatsoever shall hence forth vend or  
take the Caking or Works of Brewing for Sale But only  
such as are known to have sufficient Skill or Knowledge in the  
Art or Mystery of a Brewer that if any undertakes for victualling  
for Ships or other Vessels or Masters or Owners of any such Vessel  
or any other Person shall make it appear that they have bought  
of any Person within this Government who proved unfit and who sold  
and used for their Supply, either through the insufficiency of the  
Malt or Brewing or by any other means that the Person wronged thereby  
shall be and is enabled hereby to recover Equal and sufficient Damages  
by Action against the Person that put the Goods to Sale.

# Births Marriages & Burials.

That the Names and Surnames of every Inhabitant within the  
several Parishes within this Government shall be Registered and so  
as not further inconvenience which may arise about the Age of the Place  
the certain Marriages of men and women or the Deaths of Persons  
imported into this Country whereof no Positive Certificate appears as  
to the Age of one Marriage or another or Death of the other the  
Minister or Towns Clerks of every Parish shall well truly & plainly  
record all Births Marriages or Burials that shall happen within  
those respective Parishes in a Book to be provided by the Churchwardens  
for that Purpose And if any Master of a family or other Person concerned  
shall omit the giving Notice to the said Minister or Towns Clerks of  
the Birth Marriages or Death of any of him or them relating the Specs  
of one month such Person for his Neglect shall be fined five Shillings  
and the Minister or Towns Clerks shall ~~not~~ have for his Entry  
of such Birth Marriages or Death four Pence and if the Minister or  
Towns Clerks shall neglect Entry the same as aforesaid he shall be  
fined as aforesaid upon Discovery made thereof to the use of the Parish  
five Shillings also.

# Burials.

Whereas the Private Burials of Servants and others gives  
Occasion of much Scandal Against several Persons and sometimes  
and usually of being guilty of their Deaths from which if the Person  
suspected be innocent there can be no vindication nor if guilty  
no Punishment by reason they are for the most Part buried



Without the Knowlege or Consent of Any Officers then such of the family  
as by Noerment of Bolacon as husband wife or child and willing or at  
servants are forced to make discovery of murder or other crimes committed for  
remedy thereof and for the greater decency of Burialls there shall  
be in Every parish within this Government one or more Places appointed  
according to the Patent of the Parish to be set apart and fenced  
in for Places of Publique Burialls and before the Corps be Buried  
there shall be three or four of the Neighbourhood of which one  
is to be one of the Overseers of the Parish who may in case of suspicion  
open the Corps and if none govt according to the Decent Customs of  
Christianity they may Accompany it to the grave, and that no Person  
whether free or servant shall be Buried in Any other Place then  
there so appointed, unless such who by their own Appointment  
in their Life time have signified their desire of being Interred in  
the Buriall Place of some other Parish.

## Capitall Lawes.

If any Person within this government shall by Direct Express-impious  
or Contumacious ways deny the true God and his Attributes he shall  
be Put to Death.

If any Person shall Commit any wilfull and Premeditated Murder the  
Like.

If any Person slayeth another with a sword or Dagger who hath not  
Weapon to defend himselfe the Like.

If any man or woman shall Lye with any Beast or brute Creatures by  
Carnall Copulation the Like, and the Beast shall be burned.

If any one slay or Cause another to be Slaine by Lying in wait  
Privily for him or by poisoning him or any other such wicked Conspiracy  
the Like.

If any man Lye with man & with a woman they both  
shall be Put to Death and also the one Party who forced or seduced  
fourteen years of Age, in which case he shall be Punished according  
to the Discretion of the Court of Assize.

If any man foreverably Wounds or Carrieth away any man or man child  
he shall be Put to Death.

If any Person bear false Witness maliciously and on Purpose to  
take away a mans life the Like.

If any man shall Treasonously deny his Maj. Right and title to  
his Crown and Dominions or shall raise arms to Resist his  
Authority the Like.



If any Child or Children above Sixteen years of Age of sufficient Understanding shall smite their Natural Father and Mother or Law Parents Provoked and forced for their Selves Preservation from Death or Maiming at the Complaint of such Father and Mother and not otherwise they being sufficient Witnesses thereof that Child or these Children so offending shall be Put to Death.

If any man Treasonously conspires or Publickly Attempts to Injure the Liberties Any Town or Countie North or South within this Government he shall be Put to Death.

If Any Person within this Government shall Commit Burglary by breaking up Any Dwelling house or shall rob Any Person in the Field or Highways the First offending shall for the first offence be branded on the forehead for the Second offence he shall be branded as before and severely Whipt and for the third offence he shall be put to Death.

If Any Person shall rob Any Orchard or Garden or shall Steal away Any Linen Wollen or other goods Lost without doors or shall break open or Spoile Any Dwelling house or Out house or Any Part thereof or Any thing belonging thereto he shall pay Treble Damages or be Whipt.

If Any Person shall Steal from any Other any Cattle Goods or Chattels to the Value of Ten Shillings or upwards he shall be Whipt or Pay such a fine as the Court shall Adjudge to Satisfie the Damages with the Costs and Charges of Court and it is also Left to the Discretion of the Court to Appoint Smaller Mults or Punishments for smaller Offences of that Kind.

That the Constables by Warrant from a Justice of the Peace or upon Sudden Occasion without Warrant) having with him the Staffs of the office may make Search in Any house or Place suspected both for the offender and for the goods stolen, and whosoever hearing his goods stolen shall privately receive them and shall not Legally Receive the offender he shall forfeit to the Publick use the goods so stolen or the Value of them.

Every married Man or Person who shall be found or proved by Confession of Party or sufficient Testimony to have committed Adultery with any other man or Woman shall be Proceeded Against according to the Laws of England by Divorce, (if said) Corporall Punishment fine or Imprisonment.



12  
Every single Person or Persons who shall be found or proved  
of the Confession of Parties or Sufficient Testimony to have committed  
Fornical Copulation with a married man or woman they both shall  
be grievously fined and Punished as the Governor and Council or  
the Court of Assizes shall think most not Extending to Life or  
Member.

## Cattle Corne Cretes Fences.

Every Person Interessed in the Improvement of Common fields or  
any field inclosed for Cattle or other necessary use from time to time  
make and keep his Parts of the fence sufficiently strong and in  
constant repairs to secure the Cattle and other fruits thereon and shall  
not pull down or permit any Cattle to be put in so long as any corn  
or other fruits shall be growing or remaining upon any Parts of the Land  
so Inclosed Unless by some General Express Agreement of such as are  
Interessed.

And if at any time the Owners or Occupiers of any such Inclosed  
cannot or do not Agree in any part of the Premises then upon due and  
reasonable Notice given to the Constables and Overseers of the Town they  
shall Appoint a convenient Time to hear and order such Differences &  
to settle a Duoway of fences improving and preserving such fields and  
the fruits of them and whosoever shall oppose and transgress shall be  
Liable to all Damages proved to grow thereby and to such further fine for  
breach of Order as the Overseer shall Judge meet and the said Constables  
and Overseers shall from year to year Appoint one two or more of the  
Planters for all or each Common field belonging to the Town to view the  
same to view the Common fences within their Trust and to take due Notice  
of the real Defect and insufficiency thereof, and shall forthwith Appoint the  
Overseer with the same, and if the said Owners or Occupiers do not at  
Further within six days (or sooner, if the said Constables or Overseers so cause  
and so Appoint) sufficiently repairs or cause the same to be repaired  
he or they shall forthwith upon the Demand of the Overseer or Overseers  
(besides other Just Damages) pay as a fine to the Town twelve Pence for every  
Rood if there be a considerable quantity of such defective fences together  
or for every single Defect in such faulty fence or the said Overseer or  
Overseers taking due Notice of the Defect may) if it shall then be found  
forthwith repairs or renew them or cause them to be repaired or renewed  
and shall have double recompence for the same to be paid (besides other  
Just Damages) by the Owners or Occupiers of the said insufficient fences or  
fences and in either case of payment be Delayed or Delayed the said  
Constables and Overseers shall Levy the same forthwith upon the Estate  
of the Delinquent to the use of the Town or Overseers.



AND where Land Lye in Common or Common if one man shall improve  
his Land by fencing in several and others none or more shall not  
be who shall improve shall fence that Land from other men's Cattle  
Orally Cattle &c Excepted, who shall Compell no man to make any fence  
with him Except he also improve in several and where one man shall  
improve before his Neighbour and so make whole fence if his said  
Neighbour shall after improve he shall then satisfy the half the others  
fence against him According to the Present Value and shall maintain  
the same and the first man shall after Lay open his fence or Land  
then the said Neighbour shall both Enjoy the said half fence Purchase  
and shall have Liberty to buy the other half fence against his Land  
paying according to the Present Worth as it shall be valued by two men  
the Foreman chosen and the like Order shall be taken any man shall  
improve Land against or adjoining to a Common Person Provided his  
Enclosure not to be as Like, in which if one shall improve his Neighbour or  
Neighbours are compelled to make and maintain one half of the fence  
between them whether he or they improve or not. PROVIDED also that no  
man shall be liable to Damages done in any ground not sufficiently fenced  
and himself not interested in the enclosing fence of some Part of it  
Except the Damages done by Pigs or Cattle or any sort  
in which case Swine are included which cannot be nor pained by ordinary  
fence or where any shall unavoidably put in Cattle or what sort of  
under what colour or Pretence whatsoever or otherwise willfully trespass  
upon his Neighbours ground.

All Cattle and Hogs shall be marked with the Publique Marks of  
the Town to which they belong and the Private Marks of the Land  
and when they are sold to any other Town the Purchaser shall save  
the Towns Marks of the place where he inhabits besides his own  
Particular Mark: to be set on over the Marks of the Town from which  
he bought them.

All those who shall have their Cattle marked with the Towns shall pay  
to the officer that marked two pence by head.

All horned beasts shall be marked upon the Horns with the Towns  
marks to which they do belong.

That whatsoever Swine or greater Cattle (horses Excepted) shall  
be found in the Woods or Commons Comarked are liable to be muzzled and  
being either muzzled or otherwise prevented and muzzled the owner  
shall pay for each Swine Comarked 3 - 4 of which half the fine to  
the Pounder or Protector and the Rest to the Constable and  
prosecutors.



13  
But if the owner be not known or found Every such Swine or  
Cattle of a greater Kind to be duly Cared that the Owner may take  
notice to Claim his Interest and Pay the fines and Charges but yet  
if not Owner be found then after due Appraisal by two Indifferent  
men Chosen by the Constable and Overseers of the Place and the same  
recorded in the Court of Sessions Sale to be made so far as the  
fines and Charges may be fully paid and the remainder kept by the  
Constable till the Owner be known and the rest of such Swine or  
Cattle being first marked with a Publick Towne mark or brand with  
some distinction from the mark of any other men to be again  
turned into the Woods.

That no Owner of Cattle of what Kind soever after Knowledge  
or Notice given that any Cattle of his whether horse other beast or  
swine is unlawfully in respect of Forests shall suffer any such to goe either  
in Commons or Against the Forests or other appropriated inclosed  
grounds Forests as aforesaid but shall either immediately keep them  
upon his own ground within sufficient fence at his own or Pay  
drop upon each of them such Shackles and fetters or yoke and Ring  
as may sufficiently from him to him restrain and prevent escape  
or shall pay all Damages and Charges whether in Forest or other parts  
with hurt in other Forests Expenses of time and both in catching pursuing  
detaining out and bringing home any such unlawfully Cattle of what Kind  
soever with such further fine for breach of Order and Court Charges  
if the Party be sent to recovery it shall be as the Court of Sessions shall  
Judge meet.

For impounding of Cattle for trespass upon Corn or Meadow ground  
for each head or head bull or cow above two years old to be paid  
by Road to the Constable &c.

For all calves and or two years old and for sheep or hogs or  
head & pony PROVIDED always that the said sheep or hogs be  
taken in the trespass then to pay as aforesaid and not otherwise

Provided also that it shall be Left to the Peculiar Lawes of  
Towns ships to allow what more they shall think fit to give for the  
impounding of Cattle then is before Expressed.

Moreover the Owners of the said Cattle sheep or hogs shall  
Pay Just Costs for the Marshment of them so Impounded till they  
be bailed to answer or shall Compound for the trespass before  
it comes to the Court.



Although it be in the Constables Power yet he shall not  
grant a reprieve without two Overseers who are to take  
Security to answer the Proposers and if the Cattle impounded  
be worth 5. or above the Owner shall pay 5. if under shall  
pay 1. for the reprieve but if the Party Damaged shall agree  
with the Propositor then to pay only for impounding as aforesaid.

## CAUSES.

The charge of the Pyall of each cause shall be as followeth.  
viz. every cause of or under 5. shall pay 2. 6. from 5. under  
10. 2. from 10. and under 20. 15. from 20. under 40. 20. and  
for every 10 more above 40. 2. 6. the money so Levied is to  
go towards the defraying of Court Charges.

That all causes shall be heard & tryed according to their priority  
of Entrance and if it shall happen that the Justices have Letters  
and can dispatch the causes of which due Entry was made before the  
time of Sessions is expired it shall be lawful for the Justices to  
hear and determine any other cause or causes Accords or Complaints  
in as full and ample manner as if due Entry had been made both  
Parties being agreed to come to an Issue Any thing to the contrary in  
any other Law notwithstanding.

## CHURCH

Whereas the Publick worship of God is much discommoded for  
want of painfull and able ministers to instruct the People in the  
true Religion and for want of some convenient Places Capable to  
receive any number or Assembly of People in a decent Manner for  
celebrating Gods wholly Ordinances these ensuing Lawes are to be  
observed in Every Parish Church.

That in each Parish within this Govern<sup>t</sup>. a Church be builded in  
the most convenient parts thereof Capable to receive & accomodate  
two hundred Persons.

That such Churches shall be built within three years after the  
first Generall Assizes to which End a towns rate may be made  
to begin the first Year.



That for the Making and repairing the Lyeer and Altars  
for building and repairing the Church Pews for the poor Mainte-  
nances for the Ministers as well as for the managing of speciall affairs  
in other Cases Expressd Eight of the most able men of each Parish to  
be the Major part of the householders of the said Parish chosen to  
be Overseers out of which number the Pastors and the aforesaid Eight  
Overseers shall yearly make choice of two of the said number to be  
Churchwardens and in case of the death of any of the Overseers and  
Churchwardens or his or their Departure out of the said parish the  
the said Pastors and Overseers shall make choice of another to  
supply his room.

Every overseer is to take the Oath of fidelity at the time of his  
admittance into his office in the presence of the Minister Pastors  
and Overseers of the Parish before the Oath of his office.

So proud Scandalous ignorant prebendary to the Ministry from  
slandering themselves as Teachers nor Ministers shall be admitted to  
office within this Government but such as shall produce Testimonials  
to the Governor that he hath received ordination either from some  
Protestant Bishop or Minister within some part of his Maj<sup>ties</sup> Dominions  
or the Dominions of some foreign prince of the reformed Religion upon  
which Testimonials the governor shall induce the said Minister into the parish  
that shall make presentation of him as duly elected by the Major parts of  
Inhabitants Freeholders Householdors.

That the minister of each parish shall constantly Every Sunday Preach  
and shall also pray for the King, Queen, Duke of York and Royal family  
and Every person affronting or disturbing any congregation on the  
Lords Day and such publique dayes of fast and thanksgiving as be  
appointed to be observed after the presentment thereof by the Church  
wardens to the Sessions and due conviction thereof he shall be punished by  
fine or Imprisonment according to the merit and Nature of the offence  
and Every Minister shall also Publicly Administer the Sacrament of the  
Lords Supper Once Every Year at Least in his parish Church not denying  
the private benefit thereof to persons that for want of health shall  
require the same in their houses under the penalty of Loss of Proformant

None minister shall refuse the Sacrament of Baptisme to the children of  
Christian parents when they shall be Presented under Penalty of Loss of  
Proformant



Ministers may marry Persons after Legall Publication or sufficient  
Lycence.

Legall Publication shall be so Extremed when the Persons <sup>to be married</sup> are the  
Honorable Mayor Alder in the Church or have a special Lycence.

Sundayes are not to be Profaned by any Transitory Labourers  
or Vicious Persons.

That no Congregation shall be Disturbed in their Private Meetings  
in the time of Prayer preaching or other Divine Service nor shall  
any Person be molested fined or imprisoned for differing in  
Judgm. in mat. of Religion who Profess Christianity.

No Person of a scandalous or Vicious Life shall be admitted to  
receive the holy Sacrament who hath not given Satisfaction therein  
to the Minister.

## Church Wardens

That Church Wardens shall twice Every year (Or) on the second  
day of the January to be hold in Jan. and on the second day of the  
February to be hold in December in open Sessions & in a Court  
Presentment in Writing of all such Misdoers as by their Knowledge  
have been Committed and not punished whilst they have been Church-  
wardens namely Swearing Profaning Sabbath breaking Drunkenness  
Fornication Adultery and all such abominable Sins the said Church  
wardens are also hereby empowered to cause any person upon whose  
reports they ground their presentments to Appear at the Respective  
Sessions to which the presentments are made to give in their Evidence  
concerning the same and the refusers shall be Lyable to be fined  
at the Sessions.

## James Wilson

~~The Church Wardens~~

Memorandum that the office of the Church Wardens any-  
where mentioned in this book is to be Observed and Performed by the  
Constables and all the Overseers or the Major Part of them who are  
to take the Like Care as is required of the Church Wardens.



# Charges Polique

That Charge ~~vacation~~ of all officers civil and military to which  
noe fees and Expenses granted and appointed shall be lawfully paid  
out of the Common Treasury in full and good payment or Assignment  
to his or their Satisfaction.

That the high Sheriff for the time being shall from year to  
year after the first Day of June 1685 send forth his warrants  
to the High Constables of Every County within their Riding who  
shall send warrants to the Constables of each Riding requiring  
Each Constable to call together the Overseers of their Town who  
shall within four months after the said first Day of June make a  
List of all the male Persons in the same Town from sixteen years  
old and upwards and a true Estimation of all Personal and real Estates  
being or reputed to be the Estate of all and Every the Persons in the  
same Town or otherwise under their custody or Management according  
to just Valuation and to what Person the same belong whether in their  
own Town or other places so near as they can by all Lawfull wayes  
and means which they may use. (Viz) of warehouses Langes of all  
sorts as well unbroken up as other (Except such as both or shall be  
Common for feede food of cattle to the use of the Inhabitants in Generall  
whether belonging to Townes in generall or particular Persons but not  
to be except or boar'd upon to the damage of the Priories Mills Shoppes  
and all Smale Cowles Marchantall goods except wares and all sorts  
of Cattle and all other known Estates whatsoever as also all Cattle  
Estates whether at Sea or on Shore all which Persons and Estates are by  
the said Constables and Overseers to be Assessed and rated as hereafter.  
(Viz) Every person Aforesaid Except such as by Law are Exempted  
Eighteen poynts and for amores certain rule in valuing of Cattle  
Every cow of foure years old shall be valued at 5. Every heifer and steer  
between thre and foure years old 4. and between two and thre old 2-10  
and between one and two years old 1. Every Ox or Bull of foure years  
old & upwards 6. Every horse & mare of foure years old and upwards 12  
of three years old and upwards 8. Between two and three years old 5  
of one years old and upwards 3. Every sheep of three years old 6-8  
Every goats about one year old 2. Every Swine about one year old  
one poynt and all Cattle of all sorts under a year old and homely  
Exempted, as also all hay and corn in the Husbandmans hands  
excepted all meadow Grasslands Cattle are ratable as aforesaid.  
That all such persons as are disabled by sickness Lameness or other  
infirmities shall be Exempted and for such Servants or children  
take not wages their Parents and Masters shall pay for them but  
such as take wages shall pay for themselves.



That the Constables of each Town do bring into the High Constable of their Riding fairly written the Just Number of their Lists as aforesaid the Assessments of Estates made in their severall Towns according to the Rules and Directions Expresses and that the High Constable do returne the same to the High Sheriffe who shall duly and carefully Examine all the said Lists and Assessments of the severall Towns and shall correct & perfect the same according to the true Intent thereof and the same good & locked to Transmitt under his hand before the Expiration of his Office to the Govern

That every one shall pay their rates to the Constables of the Towns where he shall be Assessed nor shall any Land or Estate be rated in any other Town but where the same shall Lye is or was improved to the Owners reputed Owners or other Proprietors use or behoofe (if it be within this Government) and for Peculiarities (Bridges) such Places as are not yett Layed within the bounds of any Town the same Lands with the Persons and Estates thereupon shall be Assessed by the rates of the Town next unto it the Measure or Estimation shall be by the distance of the meeting houses.

Memorandum that Shallow Island and Gardners Island Lying at the East End of Long Island are Excepted out of this General Rule their Inhabitants being only and immediately accountable to the Governor for their rates.

And if any of the Constables High Constable or the High Sheriffes shall wilfully fail or neglect to performe the Trust committed to them in not making Correcting Perfecting or Transmitting the said Lists or Assessments according to the true Intent of this Law every such Offender shall be fined 40. for every such offence or so much as the Country shall be Damified thereby soe as it Exceed not 40 for one offence Provided that such Offences be Complainod of and Prosecuted in due Course of Law within Six Months.

That upon all Distresses to be taken for any of the Rates and Assessments aforesaid the Constables shall distraine goods or Chatties if they be had and if no goods then Land or Houses if neither goods nor Houses can be had within the Town where such Distress are to be taken then upon returne to the High Constable and from him to the High Sheriffe he shall give warrant to attach the body of such Person or Persons Except they put in Security for their Appearance & doe



To be Carried to Prison there to be kept till the next Court of Sessions  
if Payment be not made in the mean time.

That the Prices of all sorts of Goods to be recovered upon any rate shall  
be according to the Prices at the time and Place where it is payable and  
that all Towns rates shall be made after the same manner and by the  
same rate and not otherwise than is here before Expressed.

That if any Constable shall not have gathered the Levies permitted to  
his Charge during the time of his Office he shall notwithstanding the  
Expiration of it have Power to Levy by Distress all such Rates and  
Levies and if he bring them not into the High Constable according to  
his warrant the High Constable shall Distrain such Constables goods  
for the same; and if the High Constable shall neglect his Duty therein  
then the High Sheriff shall Distrain upon the High Constable and if  
the High Sheriff neglect it he shall be answerable for the same &  
if the Constable having made his Levy prove Insolvent and so not  
able to make payment upon Complaint made and Notice thereof by  
the High Constable to the High Sheriff it shall be Lawfull for the  
High Sheriff to sell or Not respectively to the Towns any manner of  
that Town where the Constable is unable for all Arrears of  
Tobies and that man or men upon Petition to the Generall Court of  
Assizes shall have Order to collect the same against the Constable of the  
Town both Just Damages for the same.

That the Constable shall appoint a day and Place and give reasonable  
warning to the Inhabitants to bring in their proportions upon which  
Every man so warning shall duly attend to bring in his rate or upon  
neglect thereof shall forfeit in the Shilling for what he so fails that  
and the said Constable shall have Authority hereby to Distrain the  
Delinquents or be Accountable themselves for the Rates and Penalties  
so neglected by them.

That all the Plantations within this Government after the Publishing  
hereof shall be fully Comprehended within this Law.

### Children & Servants.

The Constable and Overseers are strictly Required frequently  
to admonish the Inhabitants of Instructing their Children & Servants  
in Matters of Religion and the Laws of their Country and that the  
Parents and Masters do bring up their Children and Apprentices in  
some honest Lawfull Calling Labour or Employment and if any Children  
or Servants become idle Stubborn or Contumacious so that they  
be the Object of their parent or Master the Constable and Overseers shall  
not Justice of the Peace shall happen to dwell within four miles of the  
said Town or Parish have Power upon Complaint of the



Parent or Master to call for them such an Officer and to  
inflict such Corporal Punishment as the Merit of the fact in  
their Judgment shall deserve not exceeding Ten Whips -  
Provided that such Child or Servant be within years of age.

### Chirurgeons Midwives Physicians

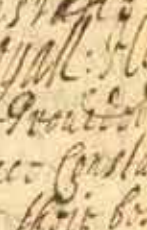
That no Person or Persons whatsoever Employed at any time  
about the Bodies of men Women or Children for Preservation of  
Life or Health as Chirurgeons Midwives Physicians or others to  
Exercise or put forth any Act contrary to the known Appropr-  
eaten of Art in such Ministry or Occupation nor Exercise any force  
violence or cruelty upon or towards the Body of any Man Woman  
or Child without the Advice and Consent of such as are Skillful in  
the said Arts if such may be had or at Least of some of the  
Wisest and greatest Men of the Town and Consent of the Patient or  
Patient's if they be Mortally Sick or Much Long. Contrary to such  
Advice or Consent upon such Proviso Punishment as the Nature  
of the fact may deserve which Law notwithstanding is not intended  
to discourage any from all Lawfull use of their Skill but rather to  
encourage and direct them in the Right use thereof and to inhibit  
and restrain the Presumptuous Arrogancy of such as through Confidence  
of their own Skill or any other sinister Respect dare boldly  
Attempt to Exercise any Violence upon or towards the Bodies  
of young or old men or Women to the Prejudice or Hazard of the  
Life or Limbs of Man Woman or Child.

### Constables.

That the Constables shall whip or Punish any who be Prigged  
by Order of Authority where there is not another Officer Appointed  
to do it in their own Town or Village they can get another  
Person to do it.

That any and every Person transported to any Prisoner of this  
Government by any other Constable or other Officer belonging to  
any Jurisdiction within this Government or by Warrant from any  
Justice shall be constantly received and conveyed for the same from  
Constable to Constable till they be brought to the Place to which  
they are sent or before some Justice of the Peace who shall  
dispose of them as that Justice of the Peace shall require and all  
such Persons shall be duly received and diligently kept to the



Effect, and where no Justice of the Peace is near, Every Constable  
shall have Power to make Signe and Take forth warrant and And  
Pursue after murderers Manslayers Thieves Robbers Burglars  
and other Capital offenders as also to Apprehend without Warrant  
such as are Taken with Detra: Suspecting Sabbath breaking  
Vagrant Persons or Night walkers Provided they be taken  
in the manner Either by the Sight of the Constable: or by Print  
information from others as also to make Search for all such  
Persons Either on the Sabbath day or other times there shall be  
occasion in all houses Licensed to Sell either wine or beer or in  
any other suspected or disorderly Places and there to Apprehend  
and keep in Custody till opportunity serves to bring them before  
the next Justice of the Peace to further Examination Provided  
that any Constable when he is employed by any Justice for Apprehending  
any Person he shall not do it without Warrant in Writing and  
if any Person shall refuse to assist any Constables in the Execution of  
his Office in any of the things aforesaid being by him required  
therein he shall pay for Neglect thereof so to the use of the Crown  
of which he is Justice to be Laid by Warrant from any Justice  
before whom such offender is brought and if it appears by good  
Evidence that any shall wilfully or Contumaciously refuse or  
neglect to assist any Constable as is aforesaid Expressed he shall  
pay to the use aforesaid forty shillings and that no man may  
be Charged or Imprisoned for such Neglect or refusal Every Constable  
shall have a staff of a foot six foot long with this Device:  the  
arms of it as a Badge of his Office in which Staff shall be Provided  
at the Charge of the Crown and if any Justice of the Peace Constable  
or any other upon Urgent Occasions shall refuse to do their best  
Endevour in catching and Prosecuting Thieves Fugitives by foot and if  
needed be by horse after such as have Committed Capital Crimes  
they shall forfeit for Every such offence to the use aforesaid  
forty shillings

The Constables and any two Overseers may take bail for any  
Person arrested within their Precincts if not in Execution or  
Committed by Special Warrant.

That Every Constable within this Jurisdiction shall on the Penalty  
of 5 Shillings clear up all his accounts with the High Constable for all  
the money and fines or what other publick Monies or goods he  
shall receive one whole month before the Expiration of the Year  
of his Office and they and Every of them are Empowered to Take



Books or Carts for the more speedy and better serving in  
what they have so collected according to the law appointed  
and if any Constable shall not have cleared the said fines  
and Amerciaments committed to his charge by the High Constable  
during the time of his office that he shall notwithstanding  
the expiration of his office have Power to Levy by Distress  
all such fines and Amerciaments committed to his charge by  
the High Constable during the time of his office  
and if he bring them not into the High Constable according  
to his warrant the High Constable shall distrain such  
Constable's goods for the same.

The Constable of each Town during his office may furnish  
the Indians with such quantity of Powder and Shot as may be  
thought necessary for them during the last and Provisions  
and also may permit them to have their guns loaded the  
said Constable giving their Account of what is so furnished  
permitted by him to the Indians at every Sessions.  
Constables shall be chosen in all Towns upon the 3<sup>rd</sup> or 4<sup>th</sup> Day of  
April yearly by the Plurality of Owners of Freeholdes in each  
Town that it is to say one of the 4 Overseers into whose Places  
now ones are chosen for the ensuing year shall be chosen to  
officials as Constables within their Towns whose Names and Psons  
shall be presented by the Old Constable and Overseers to the next  
Sessions Ensuing there to be confirmed by the Justices of the Peace  
by taking the Oath Appointed for Constables.

That whosoever being duly Elected shall refuse to serve in  
the Office of a Constable he shall forfeit for his refusal 5<sup>s</sup>.  
towards the defraying of Towns Charge.

Memorandum that in regard of the distance of the Inhabitants  
of North Sea from the Town of Watlington to which it doth belong  
there shall be a deputy Constable Appointed with Power to keep  
his maj<sup>ty</sup> Peace, and to execute such Warrants and Orders as he  
shall receive from his Superiours

### Conveyances Deeds & Writings.

That henceforth no Sale or Alienation of Lands and Tenements  
shall be holden good in Law except the same be done by Deed in  
Writing Under hand and Seals and delivery and Possession given



18  
in Parts in the name of the whole by the Seller or his Attorney so  
authorized under hand & Seal. On Law the said deed to be acknowledged  
and recorded according to Law.

That all deeds and Conveyances of Houses and Land with this  
Government Whorem On Estate of Inheritance is to Pass it shall be  
Expressed in those words or to the Like Effect (Or) to have and to  
hold the said house and Land respectively to the said Party or  
granted his heirs and Assigns for ever or if it be an Entailed  
Estate then to have and to hold the said House and Land be  
to the Party or granted and to the heirs of his body Lawfully  
begotten between him and such a one his wife or to have and  
to hold to the granted for Term of Life or for many years.

Provided that this Law shall not include former deeds and conveyances  
but Leave them in the same Condition as they were or shall  
be in before this Law takes Effect which shall be from the Publication  
hereof. Provided also that this Law shall not extend to houses  
or Land given by Will or Testament or to any Land granted or  
to be granted by the Inhabitants of a Town.

That no Conveyance deed or Promise whatsoever shall be of  
Validity if it be obtained by force or violence imprisonment or  
any kind of forcible Compulsion called Dures.

All Conveyances of fraudulent Aliensations or Conveyances of  
Land Tenements or any hereditaments shall be of no force or  
Validity to Defeat any man of his due debts or Legacies or from  
any just title Claims or Portion of that which is so fraudulently  
conveyed.

That after the Expiration of the time a for said no Mortgage  
Bargain or <sup>sale</sup> Grant of any house Land rents or other heredita-  
ments where the grantor remains in Possession shall be of force  
Against any other Persons Except the grantor and his heirs  
Unless the same be acknowledged before some Justice of the  
Peace or Superior Officer in the Government and Recorded as is  
hereafter expressed and that no Bargain sale or grant  
already made in any way of Mortgage whether the Grantor  
remains in Possession shall be of force Against any other but  
the grantor or his heirs Except the same shall be Entered  
as is here expressed that is to say within one month after the  
date aforesaid if the Party be within this Government.



or Else where within 3 miles after he shall returne and if  
any such grantor being required by the grantee his heirs or  
assignes to make an Acknowledgment of any grant Sale bargain  
or Mortgage by him made shall refuse so to doo it shall be  
in the Power of any Justice of Peace to send for the Party so  
refusing and commit him to Prison without bail or mainprize  
until he shall Acknowledge the same.

AND the grantee is to Enter his Caution with the Clerk of  
the Court of Sessions and this shall save his Interest in the  
Mortgage and if it be doubtful whether it be the Good or  
grant of the Party he shall be bound with Sureties to the next  
Court of Sessions and the Caution shall remaine good as aforesaid

AND for the recording of all such grants Sales and Mortgages  
that the Clerk of Every Session shall Enter all such grants -  
Sales bargains Mortgages of houses Lands Rents and  
hereditaments as aforesaid together with the names of the  
grantor and grantee thing or Estate granted as also the date  
thereof.

## Continued

That no man condemned to dye shall be put to death  
within four days next after his condemnation unless the  
Governour his Speciall commaund to the contrary or in case of  
martiall Law and the Prisoner executed shall be buried Neare  
the Place of his Execution.

## Courts

That the name of the severall Courts to be holden in Each  
County 3 times in the year shall be Called the Courts of  
Sessions.

And whereas there is great respect due and by all persons  
ought to be given to the Courts which soe honourably Represent  
his ROYAL HIGHNES person and that such Order gravity and  
decorum which doth manifest the Authority of a Court may be  
maintained these rules and formes following are to be observed  
both for the beginning continuance and Proceedings in the  
said Courts.



The Courts of Sessions are to begin in the East Riding the first  
Tuesday in June in the North Riding the 2 Tuesday and the third  
Tuesday in the West Riding.

The Second Courts of Sessions shall be held the first Second  
and third Wednesdays in December.  
And the 3 Sessions to be on the first Second and third Wednesdays  
in March.

The Sessions in Each Riding is to continue three days if  
needs require at Every Meeting but no longer.

That the Sessions in the East Riding be kept by Juries in  
the Towns of Southampton and Southold.

The stile of the Court to be Entered thus

At a Court of Sessions hold att in the Riding of  
Yorkshire upon Island the day of by his Royall  
High<sup>ness</sup> Authority in the years of the Reigne of our Sovereign  
Lord Charles the Second by the grace of god King of King  
of great Brittain France and Ireland Defender of the faith  
and in the years of our Lord God Present

Insert the name of the Governour

Silence Comanded

When Loh the Cryer or Under Sheriff mak: proclamation and  
say Oyez Oyez Oyez Silence is Comanded in the Court whilst his  
Royall High<sup>ness</sup> Governor Councill and Justices are sitting upon  
paine of Imprisonment. Failers to Appear.

After Silence is Comanded Loh the Cryer mak: Proclamation  
saying All manner of Persons that have any thing to do at the  
Court draw neare and give your Attendance: and if any one  
shall have any plea to Enter or suite to prosecute Tell them  
come forth and they shall be heard.

When Silence is thus Comanded and Proclamation made upon  
calling the docket the Cryer shall call for the Plaintiff  
calling for the Plaintiff.

A. B. Come forth and prosecute thy Decon against C. D. &c.  
Else thou wilt be Non Suited.



And the Pl<sup>t</sup> Putting in his Declaration the Jury shall call  
for the Defendant.

Calling for the Def<sup>t</sup>.

C. D. come forth and save thee and thy heirs or Els: thou  
wilt forfeit thy Recognizance.

for Proceedings in the said Courts

Warrants are to be issued by the Clerks in the name of the  
Courts.

Whosoever shall speak in negation of the Sentence or Judgment  
of any Court he shall be fined at the Discretion of the Next  
Court of Sessions or Assizes.

## Councille.

Any Person who shall be Sworn of the Councille to the  
Governour shall in any place within this Government have in all  
Respects the Power of the Justices of the Peace and in any Court  
of Sessions may sit as President.

## Defamation.

That no Action shall be Admitted for Defamation in any  
Court where the Words are not Actionable, and no Words shall  
be esteemed Actionable but such as if true might have brought  
the Person to suffer Punishment by Law any other shall be cast  
out of the Court and the Pl<sup>t</sup> to be nonsuited and because offences  
of this nature may be speedily determined Any Justice of the  
Peace is hereby Authorized and Empowered to hear and  
determine them and Likewise to bind the Persons so offending  
to their good behaviour or if he find not good Security for the  
same to commit them to the Prison till they find it.

## Distracted Persons.

That in regard the Condition of Distracted Persons may  
be both very chargeable and troublesome, and so will prove  
to great Burthen for one Town alone to bear Each Town  
in the Riding where such Person or Persons shall happen  
to be to contribute towards the Charge which may arise  
upon such Occasions.



# Dowries.

If any woman shall casually absent her selfe from her husband of which he shall make Complaint to the Court of Sessions if upon a certaine time given her by the Court she shall refuse to returne she shall forfeit Dowry & dower her husband shall afterwards upon a new Agreement confirme the same.

## Fasting Dayes and Dayes of Thanks giving to bee Observed.

Whereas by an act of Parliament the fifth Day of November is to be Observed from the great Solitude from the Gunpowder Treason and whereas by another Act of Parliament the 30 Day of January is Annually to be Observed with fasting and Prayer in all his Maj<sup>ties</sup> Dominions to shew a hearty and serious repentance and sollicitation of that Barbarous Murther committed upon the Person of our Late King Charles the first whereby to divert Gods heavy Judgments from falling upon the whole Nation as also by an other Act of Parliament we are Enjoyned thankfully to Acknowledge the Providence of God upon the 29<sup>th</sup> Day of May for his Maj<sup>ties</sup> Birth and Restauration to the Throne of his Ancestors whereby Peace and Emity is Established throughout all his Maj<sup>ties</sup> Dominions Every Minister within his severall Parishes is Enjoyned to pray and preach on those Dayes.

And all other Persons are also Enjoyned to Abstaينه from their ordinary Labour & Callings according to the true Intent of the said Acts.

## Fees. The fees of a Justice of Peace.

For warrants of appearance to answer all sorts of Acc<sup>ts</sup> at the Court or binding over to the Sessions or a Writ for the Good & Behaviour. ————— 2-6  
Upon Pleaint of Debt or Damage ————— 1-6  
Upon Comon Acc<sup>ts</sup> as Slandres and the Like ————— 1-6  
Upon Supra for each Person ————— 0-6  
Nothing to be payed for warrants in Criminal and Capitall Cases.  
Nor Fees for doing his office as a Justice upon the Bench







The first of these is the  
 fact that the British  
 government has been  
 in a state of  
 confusion since the  
 war began. The  
 government has been  
 unable to maintain  
 a consistent policy  
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 United States. The  
 result has been a  
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# The Fees of the High Sheriffe

The Sheriffe shall have of the P<sup>ty</sup> upon all Arrests  
 whether by Bill writ or warrant — 1 - 6  
 Upon Every Execution that shall be served if under 1 - 0  
 one hundred Pounds for each pound — — — —  
 for what shall be above one hundred Pound for each 0 - 6  
 Pound — — — —  
 for receiving the assessments Amorician<sup>ts</sup> and fines from the High Constables & paying them into the Treasury 0 - 6  
 for the Sheriffs warrant to summon & impanel a Jury 1 - 6  
 for each Cause — — — —  
 And for further Troable not herein Expressed Other  
 Reasonable fees shall be allowed by the Court . . . . .  
 Moreover the Sheriffs fees in Appeals shall be the same  
 as in Other Actions

## The High Constables & Under Sheriffs Fees.

for receiving the assessments Amorician<sup>ts</sup> and fines from  
 the Petty Constables and paying them into the Sheriffs 0 : 6  
 Pounds — — — —  
 for Every Judgment in Court or Verdict — — — — 1 : .  
 for the summoning or impaneling of a Jury — — — — 0 : 4

## The fees of a Petty Constable

for taking of the assessments Amorician<sup>ts</sup> and  
 fines and paying them into the High Constable 1 : 0  
 for a Watch or apprehension of goods distrained 0 : 12  
 Pound — — — —  
 for Arresting upon Comon Actions the P<sup>ty</sup> to pay him — 1 : 6.  
 No fees are to be payd for Executing of Special  
 warrant or apprehending Criminals or Capitall offenders  
 but to be done Ex officio.

## The fees of the Corde of the Court of Sessions who is also Corde of the Drift.

for Entering of Every Action for tryall — — — — 2 . . 6  
 for Entering and recording bargains or Sale of Land 2 . . 6  
 for Roast or Serenities or Appraisals if under 24 Linos — — — —



|                                                             |   |    |   |
|-------------------------------------------------------------|---|----|---|
| For Every 12 Lines more                                     | 0 | 1  | 6 |
| For Entering a bill or Admicon for himself if under 40 Lint | 2 | 11 | 6 |
| For Every 12 Lines                                          | 0 | 11 | 6 |
| For the fee of the office of Record for which he is to      | 3 | 2  | 6 |
| Be accountable for                                          |   |    |   |
| For Entering a Judgment of Court                            | 3 | 11 | 0 |
| For An Execution                                            | 1 | 11 | 0 |
| For Entering an Order of Court                              | 1 | 11 | 0 |
| For the Copy                                                | 1 | 11 | 0 |
| For Entering a Deposition                                   | 1 | 11 | 6 |
| For Entering an Attachment                                  | 0 | 11 | 6 |
| For Entering a Petition                                     |   |    |   |
| For Entering and Recording Any Other business. Orphans      | 2 | 11 | 6 |
| Excepl. for the first and Second Pages                      | 0 | 11 | 6 |
| For Every Page more                                         |   |    |   |
| For Licenses to Inkers and Victuallors                      | 2 | 11 | 6 |
| For A Certificate                                           | 1 | 11 | 6 |

## The fees of the Clerk of Assizes.

That all Charges of Officers or Attendants upon Cases at the Assizes shall be Double to those of the Sessions and to be Laid in the same manner

If any thing shall be done by the Clerk of the Assizes or Clerk of the Court more than what is here expressed the Justices are to Adjud. them a farther fee either at the Sessions or Assizes according to his merit for Greater Pay not taken.

## The fees of the Court.

For Returning Appeals to the Assizes with all the Circumstances whereof the Court of Sessions hath taken cognizance towards the paying of Court Charges

For the Copy of the Appeal: & Causes

Court fees are either to be Payd to the High Sheriffs or the

Clerk of Assizes or Sessions who are to be Accountable for them

all Court fees are to be Laid by Distress or put into the Execution with the Debt and Lien.

Memorandum that no warrant are to be Issued by the Clerk of any Court but in the name of the Court.

## The fees of the Clerk of the Court

For Calling the Jury for each Case

For Swearing Every Witness



|                                            |   |   |
|--------------------------------------------|---|---|
| For a Non-suit                             | 8 | 0 |
| For non appearance of witness upon Summons | 3 | 0 |
| For Every Verdict                          | 0 | 4 |

## The fees of the Marshall

|                                                                       |   |   |
|-----------------------------------------------------------------------|---|---|
| For receiving into Ward                                               | 1 | 0 |
| For Every Verdict brought in whilst the Court sits                    | 0 | 6 |
| If the Jury stay together all night & for the delivery of the Verdict | 2 | 6 |
| For Whipping                                                          | 2 | 6 |
| For Pillory                                                           | 2 | 6 |

It is to be the Marshall's Care to Provide a Convenient room for the Jury to retire into.

The Marshall is to receive no Prisoner but such as are Committed by warrant Excepting only in such present Occasions where a warrant cannot be easily obtained Provided that he shall not refuse any Prisoner brought to him by any known Officer the said Officer obliging him self to deliver in a warrant to the Marshall for his detaining within twenty four hours.

The ordinary rate and allowance for the Diet of Every Prisoner to the Marshall shall be of Bread Eight pence and he shall demand no more.

Provided always that any Prisoner for his better Accommodation either of Lodging or Diet may agree with the Marshall upon a further price.

## Fornication

If any man Commit fornication with any single woman they shall be Punished by Enjoining marriage. If not by Corporal Punishment or any of those according to the discretion of the Court.

## Forgery

If any Person or Persons whatsoever shall forge any Deed or Privilege Testament bond Bill of Exchange Acquittance Letter of Attorney or any Writing to Prejudice Equity he shall stand in the Pillory three several Court days and render double Damages to the Party wronged and also be disabled to give any Evidence or Verdict to any Court or Magistrate.

## Fires or Burnings

If any Person or Persons whatsoever shall set on fire any Dwelling house Church or Manse house Barn or Stable Stock Play



Person or herd and such like combustible: Maliciously and wilfully he shall be committed to Prison there to remain without bail: till the next Sessions where if convicted by Proof or Confession of the Prisoner he shall remain in Prison till the next Assizes there to receive Judgment to death or make full Satisfaction out of his Lands, goods or Chattels to the Party or Parties Damaged according to the good Discretion of the Bench.

If any Person whatsoever shall Kill: any Cattle in the Woods or Grounds Lying in Common or in his own Grounds so as the same shall run into any other Grounds or Inclosures of his Neighbours he shall be Liable to pay all Damages of what sort soever and half so much more for a fine if not able to pay the Court shall Adjudge the Person Guilty to Corporal Punishment not Exceeding twenty Stripes or to Sol. Service to Expiate the Crime.

## Fugitives.

Every Apprentice or Servant that shall Depart or Absent himself from their Masters or Damors without Leave first obtained shall be Adjudged by the Court to double the time of such their Absence by Sol. Service over and above other Damages and Costs which the Master or Damor shall sustain by such Unlawful Departure and whosoever shall be Proved to have Transported or to have Contrived the Transportation of any such Apprentice or Servant shall forfeit twenty pounds to the Master or Damor and be fined five pounds to the Court and Every Inhabitant that shall Harbour or Entertain such Apprentice or Servant knowing that he hath Absented himself from his Service upon Proof thereof shall forfeit to the Master or Damor 10 for Every week Entertainment or Concealment.

If any Master of Shipp or Barge shall Transport or Carry away any Freeman whether Merchant or householder that is or shall be Indebted here without Pass or License he shall be Liable to Satisfaction of the Debt of the Person so Transported unless the same be otherwise Satisfied or that such Merchant or householder do returne againe into the Government and appear to Answer in Court with the Space of Six Months after such Absence.

## Corses & Mares.

That Every Towne within this Government shall have a Marking Iron or Mark by and for themselves in Particular to distinguish the horses of one Towne from another besides which Every Owner is to have and mark his horse or horse with



his own Particular Horse brand having some distinguishing  
mark: that one mans horse may be known from another  
AND that in Every Town there be an Officer appointed by  
the Constable and Overseers to Record Every mans Particular  
mark: and to set each Particular horse mark or sell brand and  
to take notice and record the age of each of them as near as  
he can with the colour and all observable marks whether  
natural or artificial and what artificial marks it had  
before the branding whether on the ear or elsewhere with  
the year and day of the month when branded and in each  
town the officer for his care and pains to have six pence of  
the owner of each horse mark or sell for branded & recorded  
and that any one that hath any horse or horses of what  
age or kind soever do duly observe this order at his Perill  
And when any horse mark or sell is to be sold to any other town  
the purchaser may if he please cause the same mark of the place  
where he inhabits besides his own Particular to be set on or over  
the mark of the town from which he bought them.  
The officer is also to Enquire after as satisfying Evidence of his  
Right who Presents any such horse mark or sell as may be set or to  
record any defect of due Evidence that may be open to other  
Claimers.

To Prevent the frequent abuse of selling and killing other mens  
horses and cattle by the true owners seldom or never known  
what is become of them horses and cattle no man of what quality  
soever he be shall sell struck or give any horse mare ox or bull not  
marked as is else before directed unto any other person whatsoever  
under the Penalty of five Pounds to be paid by him that sells and  
also by five pounds by him that buys which horse or mare ox or  
bull though marked shall be registered in the town where the  
property is changed within twenty four hours with the names of the  
persons and their places of Habitation under the Penalty of four  
Pounds to be paid by each Party concerned therein as buyer or seller  
Neither shall it be lawful for any man to kill any cow ox or bull  
or such like Cattle either for sale or for his private use before  
he gives notice thereof to the persons appointed for that purpose to  
the Register such matters and a due Entry made thereof with the  
names of the owner and marks of the cattle under the Penalty of  
forfeiting the whole cow ox or bull he so found whereof due  
notice to the Informer the other halves to the Constable & Overseers  
and the officer is to have for his Entry two Pence & good.



# Impresses.

That in all Publique Workes for the Safety and Defence of the Government or the necessary conveyance of Bridges Highways and Common Passages the Governor or Deputy Governor and Council shall send Warrants to any Justice and Justices to any Constable of the next Town or any other within that Jurisdiction to send so many Labourers and Artificers as the Warrant shall direct which the Constable and two Overseers or more of the Overseers which the Constable shall chuse shall forthwith execute and the Constables and Overseers shall have Power to give such wages as they shall Judge the work to deserve. Provided that no Ordinary Labourer shall be Compelled to work from home & bring his work together.

No man shall be Compelled to any Publique work or service unless the Power be grounded upon some known Law of this Government or an Act of the Governor and Council Signifying the necessity thereof in both which Cases a Reasonable Allowance shall be made nor shall any man be Compelled in Person to any office work hours or any other Publique service that is necessary and sufficiently exempted by want of years Greatness of years Defect of mind failing of Senses or Impotency of Limbs or by the Equality of his Office which is Elsewhere expressed.

No man shall be Compelled to goe out of this Jurisdiction upon any of these Warrants but only in such vindictive & defensive Wars as in our Own behalf or in the behalf of our Nation against the Common Enemy shall be Intreprised by the Governor with the Advice of his Council or by the Authority derived from the same nor shall any mans Cattle or goods of what kind soever be seized or taken for any such Publique service or use unless it be by Warrant grounded as aforesaid nor without such reasonable Satisfaction as the Ordinary value of the Cattle both afford and in case any Cattle or goods shall Perish or be Damnified in such service the Charge shall be recompensed.

## Inkeepers & Ordinaries

No Person or Persons shall at any Time Under any Pledge or other Obligation undertake to be a common Victualler Keeper of a Cooks Shop or house of common Entertainment or Publique Sale of wine Beer ale or Strong Waters by retail or a Lent quantity then a quarter part without a Certificate of his Good



behaviour from the Constable and two Overseers at Least  
of the Parishes where he dwells and a License first obtained  
under the hands of two Justices of the Peace in Sessions upon  
Pains of forfeiture of £<sup>5</sup> for every such offence or imprisonment at the  
discretion of the Court provided always and it is to be  
understood that no man is hereby hindered from buying for his  
private use any quantity of Liquors and it shall and may be lawful  
for any person to sell such quantity of Liquors to him so that  
he do not sell it againe by retail without a License.

That Innkeepers or Ordinary Keepers shall not be obliged  
to put any particular quantity of malt into their Boords but  
they shall not sell their Boords for above two pence for quart nor  
any Liquors at or above twelve Shillings of gallon under the  
Penalty of 20 for each Gallon so sold.

It is Premised to sell Boords out of Boords at a Price the six  
quart or under.

That if any Complaint be made to the officers of a Towne against  
any manner of Sale of Liquors all too unreasonable and  
extraordinary rates they have Power to give redress therein  
No Licensed Person shall suffer any to drink - Excepting at  
an unreasonable hours after nine of the Clock in the afternoon or  
about any of their houses Under Penalty of 2-6 for Every such  
offence if Complaint be made thereof.

If any Quarrell or Disorder doth arise from in temperate Persons  
within their houses the Person so Licensed not signifying the  
same to the Constable or one Overseer at the Least who are  
authorised to cause the Peace to be kept shall for Every such  
neglect forfeit ten Shillings and Every Person found Drunk  
in or about any of the said houses shall forfeit 2-6 and for  
being the Author or accessory of the breach of the Peace or Disor-  
der or keeping an unreasonable hours shall forfeit ten Shillings  
and for Want of Payment or in Case they be so default and neglect  
their Masters Officers they shall be sold in the Stocks in hours  
at the Least.

It shall be lawful notwithstanding for all Licensed Persons to  
entertaine Land Travellers or Pasturing men in the Night Season  
when they come on their or from their journey for their necessary  
refreshment or towards their Preparation for their journey or  
voyage - And also all Strangers Lodgers or other Persons may  
lawfully continue in such houses when their Lawfull Occasions  
of Business doth require Provided they be not Disorderly  
amongst them.



25  
Every Person so Licensed for the Entertainment of Strangers  
with their Hosts shall Provide one or more Inclosures for Summer  
Day and Provision for Winter with convenient Stable-room and  
abundance Under the Penalty of 2-6 for Every Day of default  
and double Damages to the Party thereby wronged.

N<sup>o</sup> C. Licensed Person shall Unreasonably Exact upon his guest  
for and forer of Entertainment and no man shall be compelled to pay  
Eight Pence for Meals with small-beer only (unless the guest shall  
make their Agreement with the Person so Licensed).

N<sup>o</sup> C. License shall be granted by any two Justices in the County  
for above the Term of one year but Every Person so Licensed  
before the Expiration of the said Term shall and at her by en-  
joined to repairs to the Houses of that Jurisdiction for repairing  
their several Licenses for which they shall pay to the Treasurers of the  
several Towns two Shillings Six pence or else they shall  
forfeit five pounds as Unlicensed Persons.

All offences committed against this Law shall be determined by  
the Constable with two or more of the Overseers who are Empowered  
to Collect and receive the several Rates or Duties in case of non-  
Payment rendering account thereof as is else where Required.

## Indians

N<sup>o</sup> C. Purchase of Lands from Indians after the first day of  
March 1664 shall be Estimated a good title without Law first  
had and obtained from the Governor and after Law so obtained  
the Purchaser shall bring the Sachem and right Owner of such  
Lands before the Governor to acknowledge Satisfaction and Payment  
for the said Lands whereupon they shall have a grant from the  
Governor and the Purchaser be made and Prosecuted to be  
Entered upon Record in the Office and from that time to be  
Valid for all Intents and Purposes.

All Injuries done to the Indians of whatsoever <sup>nature</sup> shall upon their  
Complaint and Proof thereof in any Court have Speedy Redress  
gratis against any Christian in as full and ample manner with  
reasonable Allowance for Damages as if the Cause had been between  
Christians and Christians.

In all Places within this Government the English and all Others  
shall keep their Cattle from Destroying the Indians Crops in any  
Ground where they have ~~right~~ right to Plant and if any of their  
Crops be Destroyed for want of fencing the Owner shall make Satis-  
faction and shall have Power amongst themselves to Lay the Charge  
where the Occasions of the Damages did arise PROVIDED



that the Indians shall make. Proofs that the settl. of such  
a Towne Farms or Person did the Damage and for the Encourag-  
ment of the Indians towards the settl. in the Towne. For  
which each Towne Farms or Person whose settl. may annoy  
them that way shall direct assist and help the settl. of  
Towns. Removing and changing rayses and holding of Posts allowing  
on. English men to live for three or more Indians and shall also  
own the housing mts. Place for them and allow one man a day  
or two towards the taking up of the land and either sell or  
Lend them tools to finish it. Provided that such Indians shall  
leave their Towns fields or grounds all their own charge and  
if any Indians refuse to fence their Towns fields from  
Indians help as aforesaid in the Towns and shall be  
of sufficient witnesse they shall keep of all settl. or  
damages and if any harm be done at any time unto the  
English by the Indians in their settl. the Governor or Deputy  
Governor with two of the Council or Any Just of Sessions or  
Assizes may Order Satisfaction according to Law and Justice.

That Indian whatsoever shall at any time be suffered to  
know or performe any Outward worship to the Devil in  
any Towne within this Government

## Jurors And Juries.

That the Clerk of the Sessions shall in convenient time  
before the sitting of the Court give a Certificate to the Sheriff  
or Under Sheriff of what and how many Causes are Entered  
for their bearing the next Sessions by the end that the Sheriff  
or Under Sheriff may and he is hereby required immediately to  
Issue forth Warrant to the Constable of the several Towns of  
his Jurisdiction of that Court for Jury men Proportionable to  
the Causes with regard to the Equality of the Number from each  
Town and according to the warrant the Constable shall returne  
as many of the Freeholders as stand as Jury men and returne  
them to the Under Sheriff and if such Number of Jury men be  
required prove not sufficient for carrying on the Cause with  
Dispatch to the Sessions the Justices may require the Sheriff or  
Under Sheriff to supply their Number with so many able and  
Sufficient men as shall either Attend the Court upon other  
occasions or shall happen to be Inhabitants of the Town where  
the Court shall be hold.



All Jurors for Reason shall be Impannalled and Sworn Truly  
to try between Party and Party and shall find the matter of  
fact with the Damages and Costs according to the Evidence  
whereupon the Justice in the Bench of the Superior  
Court shall pronounce the Sentence directing the Jury in  
Point of Law and if there be Matter of Apparent Equity  
upon the forfeiture of an obligation or such or Covenant  
without Damages or the like the Bench shall determine  
such Matters of Equity.

Every Jury man shall be allowed 3 s. per diem for the charge  
of their Abode out of the Fees and Profits arising in  
each Court where they be Service or by the Country if that  
shall Bother.

That the Payment of Jurymen be known to who shall attend  
the Courts of Sessions for Awards shall be from the time of their  
going from whom to their Return.

That whosoever shall be nominated to serve in a Jury and  
without Just Cause shall refuse it he shall forfeit twenty  
shillings towards the defraying of Publick Charge which is  
to be Levied by the Countie.

No Jury shall exceed the Number of 7 not be Under Sixteen  
in special Causes or upon Life and Death the Justice shall  
think fit to Appoint Twelve.

In all Cases where the Law is Obscure so as the Jury cannot  
be satisfied there shall be Liberty to Present a Special  
Verdict or

if the Law be so in such a Point they find for the Plaintiff  
if the Law be otherwise they find for the Defendant in which case  
the Determination doth properly belong to the Court and all  
Jurors shall have Liberty in Matter of fact if they cannot  
find the main Issue yet to find and Present in their Verdict  
for much as they can.

Whensoever any Juror or Jurors are not clear in their Judgment  
concerning any Case they shall have Liberty in open Court and not  
otherwise to advise with any Priviledged man upon the Bench with  
any other whom they shall think fit to resolve and direct them  
before they shall give in their Verdict.



The Verdict is to be given by the foreman of the Jury -  
A Verdict is so returned when the Major Part of the Jury is a-  
greed and the minor shall be concluded by the Major without  
allowance of any Protest by Any of them to the contrary -  
Except in Cases of Life and Death where the whole Jury is  
to be unanimous in their Verdict.

The Bench is bound to sum up the Evidence by way of  
Information to the Jury.

No Father Brother Uncle Nephew or Cousin German  
to the Party or Parties concerned shall be admitted to Exception  
Against a Juror before he shall be sworn - and not after  
It is Likew. Left to the Judgment of the Court to allow  
those Just Exceptions against Jurors before or after

If any one shall Protest to remove the signing of a  
Jury or Arbitration he shall forfeit 10 - for the first offence  
and for the further breach of this Law the next Sessions  
or after shall incur a greater fine on the offender according to  
the merits of the Cause.

## Justices of the Peace.

The Justice of the Peace or High Sheriff or Either of them  
shall have Power to issue forth Writs or Warrants according to  
the Nature of the Plea.

Justice of the Peace High Sheriff or Under Sheriff may  
grant Reprieves &c. of the.

The Warrant of any Justice of the Peace shall be of force and  
it be executed by any Inferiour Officer in any of the  
Ridings as Justices and especially as if the Justice were in the  
Riding that Riding. Provided always that the Plea or Cause  
be first or last of Plea for Arrest within the Riding where the  
Justice is to do the Plea. It is to be observed in the 12th.

The Chief Justice of the Peace in the Absence of the Governor  
or Deputy Governor or some One of the Council shall pronounce the  
Verdict or Sentence of the Court except in Cases of Natural  
Impediment or Agreement among the Justices themselves it be  
otherwise determined by any other Person of them in Neither of  
which Cases the Justice shall refuse to do his Office in Entire -  
his Absent to the Prejudice of the Court.

Any Justice of the Peace may if the Peace be so far as for it  
be at that time in any County Court within the Jurisdiction where he  
is.



Every Justice of the Peace shall have an Allowance of twenty  
Pounds & And to be paid out of the Publick rates towards the  
discharging of their Records and also what may arise out  
of the fines and Amercements not otherwise disposed of

ART.

All Land Tenements within this Government shall be free  
from all fines & Licences upon Alienations and from all heriots  
wardships Liveries Primitives & other such like and from all  
and forcible upon the Death of Persons or Ancestors Natural  
or Natural Casual or Accidental and that for Ever Cases of High  
Treason only Excepted.

That all former Purchases may be ascertained to the Present  
Governor and Right Owner all Persons whatsoever who have made  
any grants or Patents of Townships Land or Houses within  
this Government shall bring in the said grants or Patents to the  
Governor and shall receive them approved by Authority from his Royal  
Highness before the beginning of the next Court of Assizes.

All Purchasers of Impleased Lands shall at their Costs & Charges  
cause a Survey & Draught thereof to be made within one year after  
such Purchase and deliver the same into the Office of Records where  
by the Bounds and Limits thereof may be fully distinguished and if  
the Purchaser shall not within three years after such Survey plant  
soat and inhabit upon the said Purchase they shall forfeit their  
right Title and Interest therein.

Every Purchaser in Acknowledgment of the Propriety of such  
Land belonging to his Royal Highness shall upon dealing of the  
Patent pay unto the Governor so much as they shall agree  
upon not exceeding for Every hundred Acres two shillings and  
sixpence and upon the dealing of a Town two Towns Lots shall  
be reserved by the Purchaser to the Use of the Governor Grants  
to be disposed of to such as he shall think fit.

ART.

In regard it is almost impossible to provide sufficient Lawes in  
all Cases as proper punishments for all Crimes the Court of Sessions  
shall not take further Cognizance of any Case or Crime where  
there is not Provision made in Law but to Remit the  
Cause or Crime with the due Examination and Proof to the next  
Court of Assizes where the Matter of Equity shall be decided or  
Judgment Awarded according to the Direction of the Court and not contrary  
to the known Lawes of England.



# Lying & False News.

Very Person of Age of Discretion which shall be reported  
of fourteen years and upwards who shall wilfully and  
deliberately forge or Publish false News whereof no certain  
Author nor Authoritied Person out of any Parts of Europe can  
be Produced whereby the Minds of People are frequently  
disquieted or Exasperated in relation to Publick Affairs  
or Particular Persons Injured in their good Names and  
Reputations by such common Decays and abuses upon due Proof made  
by sufficient Witnesses before the Governor or Any one of his Councils  
the Person so offending in Ordinary Cases shall for the first offence  
be fined 10. for the second offence 20. and for the third offence  
40. and if the Party be Unable to pay the same he shall be set in  
the Stocks 10. Long or Publickly Whipped with 300 many Stripes  
as the Governor or Any Court of Sessions shall think fit  
Exceeding forty Stripes or four hours sitting in the Stocks  
for the fourth offence he shall be bound to his good behaviour  
paying Costs or Service to the Informer and Witnesses. Such as  
shall be Induced reasonable Satisfaction but in Cases of higher  
nature as Publick Concerns the Fine or Punishment shall be  
Exceeded according to the direction of the Governor & Council only

## Marriage

Whereas by the Laws of England no marriage is Lawful  
consummated without a Minister whose office it is to Solemnize  
Matrimony after the same have been Published in the Church or a  
Lycence first had and obtained from some Other Person who unto  
Authority all which formality cannot be easily Practiced in these  
Parts yet so the End a Decent Rule thereon may be observed  
it is ordained that from hence forth the Names and Surnames of  
Each Party who sue for Marriage shall be Publickly read in the  
Parish Church or some Meeting Place where they both then  
Inhabit three severall Lenten Days together and where no Church  
or Meeting Place shall happen to be a Publick in Writing shall be  
fixed fourteen Days before Marriage in three Copies of each  
Part where the Party are or in Habits of the said Parties the  
Other two upon any two Copies of the Overalls of the Parties in which  
they are dressed and next from the Governor in both which Cases  
and not otherwise it shall be Lawful for them to be  
(Married)



Provided the said Parties both Party themself by  
oath if Required before the Justice of Peace or the Magistrate  
that they will under the Bonds of matrimony to any other Person  
Living if it shall after happen to be proved that either or both  
the said Parties married and thereby attained another Marriage  
for the said Perjury the Party or Parties offending shall  
be bound through the Tongue with a Rod of Iron and  
moreover proceeded Against as in Cases of Adultery is  
Provided.

But if either Party be approved Innocent as to him or  
her self and ignorant of the Fraud the Innocent shall  
recover Damages Against the Innocent and be set at Liberty  
as if no such Marriage had been made.

And no man shall harbour conceal or detain contrary to the  
Consent of his Husband any Married woman upon Penalty of  
for every hour that such Married woman remain and  
his Rights after Demand made by her Husband where his  
wife is so harboured concealed or detained.

Provided always that any woman flying from her  
Barbarous Cruelty of her Husband to this house of the Justices  
or any of the Overseers of the same Parish may be protected by  
them in the manner as is directed for servants in such Cases  
and not otherwise.

In what Cases it shall not be  
punishable to Remarrie.

If either the man or woman shall be convicted to have  
violated their Oath to the Justice of the Peace the other  
is free to Marry.

If sufficient Certificat be brought from any foreign  
Parties approved with allowable Circumstances that the man  
or woman is dead the living Man or and Place specified  
under the hand and Seal of some private Person and known  
Magistrate the other is free.

If either the man or woman travelling by Sea or Land into  
any foreign Parts which voyage by former Computacion may  
be perfected in one year or less or in few days of the year  
no public Knowledge or News shall be had within five  
years after his or her departure nor of any who Accompany  
him or her in the voyage it may fully be presumed that such  
Persons



Persons that and after the Expiration of his Ample-  
years the other is free to Marry Provided always  
that if either the man or the woman shall at any time  
after the Expiration of 5 years Return and bring full  
testimony that he or she hath never been married  
by writing or marriage solemnized known to his wife or husband  
that he or she was then living or that they were by Impri-  
sonment or bond Slavery with the Turks or other Heathen  
Lawfully hindered from giving such Information it shall  
and may be Lawful for the said man or woman to  
take his or her 2<sup>d</sup> marriage and obtain an Order for  
their Relieving as formerly but if neither shall shew such  
an Order they may by Mutual agreement Enter a Petition to  
either of them in the office of Records and both being free  
from their former Obligations the said rule touching Children  
as are bound in Lawful marriage is to stand for such  
Children as shall be admitted in the Court of Records only.  
If any man shall hereafter Pledge to marry contrary to the  
Law Provided the Person offering shall be proceeded against  
according to the Statute for Adultery or fornication according to Evidence the  
Children who are born shall be reputed bastards and the Parents  
shall suffer such Pains and Penalties by fines or Imprisonment as  
they have deserved.

If any Person whatsoever shall Pledge to marry any daughter  
widow or servant without the known consent of the Parents  
if any be living or any other Person who have not been here-  
before in the Church or usual meeting place or otherwise Legally  
published or without a special warrant for his so doing  
under the hand of the Governor the said Person shall forfeit 20  
and be put out of his office.

### Masters Servants & Labourers.

Note Servant either male or female shall either give Bond  
or Oath any commodity whatsoever during the time of their  
service under the Penalty of fine or punishment by Warrant  
under the hand of the Justices of the Peace at the Office that  
may be and whatsoever Person shall buy or receive or truck with  
any servant contrary to this Law they shall be compelled to  
restore the said commodity to the Master of such servant or  
servants and forfeit the double Value thereof to the Owner  
of the Person where they shall inhabit.

All Labourers and Servants shall work in their calling  
being thereunto required the whole day the Master or Ten-  
allowing them convenient time for food and Rest.



If any Servant shall run away from his Master or  
Dams or any other Inhabitant shall Privily carry them  
away or upon Suspicion of such their Evil Intentions Every  
Justice of the Peace or any Constable with two Overseers where  
no Justice is at hand shall Power to Break open Houses Doors or  
Pinnaces at the Publick charge to Pursue such Portents both by Sea  
and Land to bring them back by force of Arms to their Master  
to be put of such Prison or Suspicion thereof.

No man shall receive for Service or Work more than Payment  
in Coin at the usual Rate provided also that no Speciall  
agreement was made before hand for any particular paymt. if so  
then to be Paid in the same Manner as is agreed upon for Consideration  
for Service thereof by Arbitration.

If any Master or Dams shall Tyrannically Use a Servant their  
Servants upon Complaint made by their Servant to the Constable  
and Overseers they shall be Speedily removed therefrom by Authority  
the Master or Dams not Provoked their Servants and upon the  
second Complaint of the Servants of the like Cause it shall be  
Lawfull for the Constable and Overseers to Protect & Sustaine  
such Servants in their houses till due Order be taken for their  
Redress in the Insuing Sessions provided that due notice thereof  
be Speedily given to such Master or Dams and the said Justice  
or Servants are Protected and Sustained and in case any Master or  
Dams be such Tyranny and Cruelty and not Redress shall suffer  
out the fourth or Fifth of any such Man or Maids Servant or shall  
otherwise maim or Murther them such Servants after due  
proof made shall be set free from their Services and have a  
farther Allowance and Accompanie as the Court of Sessions shall  
Judge meet.

But in case any Servant or Servants shall Casually Complaine  
against their Master or Dams if they cannot make Proof of a  
Just Occasion for such Complainte such Servants shall by the  
Justices of the Court of Sessions be Enjoyed to serve their  
Master the time Extraordinary (gratis) for such Casual Complainte.

No Servant Except such as are duly so for Life shall be  
Assigned over to any other Master or Dams by themselves their  
Executors or Adminis. for above the space of one year unless  
for good Reasons offered the Court of Sessions shall otherwise  
think fit to Order In which case the Assignment shall  
stand good otherwise to be void in Law.



# Military Affairs.

FORASMUCH as good Mannagmt. of the Militia is the Support of all Governments in peace and Safety to which all Persons of what quality Superior are Obligated in Duty and Conscience in their proportions to be Readymand ~~Waiting~~ to this good End the following Lawes are to be Observed.

first that Every Male Person above the Age of 16 years Except Justices of the Peace High Sheriffs High Constables or Order Sheriffs Petty Constables Ministers Teachers School Masters Physicians and Chyrurgions Allowed of by two Justices of the Peace or of a Justice or Sessions Publick Houses of Repair or Inns about 20 (and constant boardmen or such as for bodily Infirmity or Old age shall be Excused by the Justice or Magistrate Sessions as also one Servant of each Justice of the Peace or High Sheriff shall duly attend all military Exercises and Service as training watching and Guarding when they are thereunto required and Warned by their Officers under the Penalty of five Shillings for Every Day or Default.

EVERY Towne shall be Provided with a sufficient Store of Gunpowder and a safe convenient Place thereunto Adjoyning for keeping Powder and Ammunition under the Penalty of 1000 Pounds and the Constable and Overseers shall provide and maintain for the Generall Stock to the use of the Towne in case of Necessity one Carriage of good Powder English Weight one hundred and fifty Pounds of Musquett or Pistoll bullets thirty pounds of good Match which they shall carefully receive from time to time as shall be necessary Under the Penalty of 5. for the want of such Proportion of Bulle Powder or Match as before Mentioned and where there are Artilleryes for their Gallies in any Towne the Constable and Overseers shall mount such guns and fit them with Appurtenances for Service and the Constable and Overseers are hereby Authorised to assess Levy and Districte upon the Inhabitants for Building Repairing Tying and Maintaining the Picquiers before Recited if Any wise Neglected.



Besides the Generall Stock of Each Towne Every male  
from 16 to 60 yeares of Age Within this Governor's if not  
freed by Publicke Allowance shall if Freeholders at their  
owne if sons or servants at their Parents or Masters Costs and  
Charges be Published with Armes and other suitable Provisions  
hereafter mentioned under the Penalty of 5<sup>s</sup>. for the Defaults. And  
thorow namely a good Serviceable good looking sufficient by his  
military officer to be kept in constant Readiness for  
Service with a good Sword bandoliers or Horn a Worme a  
Scowrer and a priming rove: Shot bagg and Charger or  
Pound of good Powder four Pound of good Pistoll bullets or  
twenty Lead bullets fited for the gunns four fathom of  
Serviceable match for a match Locks four flints fited for  
a five Lock gunne and all Cap. or military officers Armes  
~~and accoutrements~~ hereby required to give or send in an Account  
yearly to the Governor and Councell how the Inhabitants are  
furnished and Provided that the Supply may be ~~ordered~~.

That the Constable and Overseer shall in behalfe of their  
Towne Present to the Governor three Names of the most fit  
Persons in their Towne to be Captain: Lieut and Ensign. To  
whome the Governor shall give forth Commissions Accordingly  
And shal have sufficient Exceptions Against either of them  
in which Cap. Constable and Overseer shall Proceed to have  
Election which is to be made by the Plurality of Votes of the  
Souldiers.

That man Elected in any Military office shall refuse to  
accept thereof or discharge his trust therein under the  
Penalty of full Pounds one half to be Payd to the Governor  
and the other half to him that is Chosen in his Place and  
accepts thereof.

The Captain: or Chief Military officer in Each Towne is Em-  
powered once in three months at Least Every yeare or oftner  
if they see good to take a strict View how every man is furnished  
with Armes and Ammunition According to Law and where any  
are found faulty they are required to make presentments  
thereof to the Constable and Overseers of the said Towne  
that the fine and Penalties may from time to time be by them  
only Levyed and if this View of Armes and Ammunition  
shall at any time be Neglected or the Defects not duly  
Presented the Captain: or Chief Military officer shall pay forty  
Shillings for his Neglect which fine shall be Levyed by the  
Constable and Applyed to the Maintenance of the Publicke Stock  
of the Towne.



All fines for the neglect of Soldiers or Captains and  
Chief officers of Military affairs shall be imposed by the  
Court of Sessions and not otherwise: but for the neglect of  
Particular Persons by the Constable and Overseers

Every Town within this Government shall have Every  
year four days of Training among themselves and they  
shall be always in each Regiment once in a year a General  
Training of all the Towns within that Jurisdiction which may  
take up three days time the one in coming to the Place Appointed  
the next for their Training, and the third for their  
Return to their Habitations.

Lxxvii.

There shall be Once in two years a General Training for all  
Soldiers within this Government the time and Place to be at  
the nomination of the Governor.

In the several Trainings all males above Sixteen years of  
Age who are not freed from that Service are to be brought in  
thoroughly handling and ready use of their Arms in all  
Postures of war to understand and command all words of Command  
and further to fit all such as are and shall be in some Measure  
Instructed for all military Service against their so Occasion  
Under the Penalty of  $5^s$  to be Levied upon the Military officers  
as upon Examination they shall be found more or less faulty  
and with respect to their Places the greatest Trust Paying  
the greatest fine for neglect and the days to be appointed  
for private and general Trainings shall be at the most convenient  
time in the year for Trainings but not within fourteen days  
one of another Moreover Every such Training day the Master  
General or Chief Military officer present shall cause the Names  
of all the Soldiers to be read in the forenoon and in the afternoon  
also if not so caused and whosoever on any Training day shall  
be absent shall pay  $5^s$  for Every such default whosoever shall  
at any time of the day withdraw himself from the Service without  
leave from the Chief Military officer present he shall pay either  
for default absence or agreement or Loss fine as the officer shall think  
in all circumstances may require and whosoever shall come late  
shall pay for each such default one Shilling and for any other  
disorderly offenses according to the Nature and Measure  
of it nor shall any Person suffer their Inhabitants to neglect or  
show slight in a Service of such importance and what fines  
shall be Levied by virtue of any neglect or Misbehavior at  
the General Trainings of each Jurisdiction the Major General  
shall have one third and the other officers two thirds but what  
fines shall happen at the General Trainings for the whole Govern-  
ment shall be paid to the Major General and one third to the  
(Officers)



All fines arising upon this account and not Exempted for they  
shall be disposed of here to be Employed in the buying of Arms  
Powder Halberds and other necessary things Relating to the  
Militia.

The Governor and Council shall send warrants to the Major  
General the Major General to the Captains and Chiefs Officers  
to draw their Lordship's company to a certain Place mentioned  
in the said warrant allowing fourteen Days having in view of  
Grace But if there shall at any time happen within this Government  
any foreign Invasion or any public attempt or attemptance  
from a common Enemy whether Christian or Pagan or others  
Insurrection or Rebellion against the Lawful Authority in  
such cases the Governor by warrant to the Major General  
the Major General to the Sheriff the Sheriff to all Officers  
both Civil and military shall immediately dispatch orders  
warrants &c. to all other Persons whatsoever that upon  
their attempt to rise of fire and Imprisonment by the Governor &  
Council they nor any of them do fail to meet upon a certain  
Day and Place in the warrant to be Express with their Arms  
and other Military Provision where the Sheriff in Person is also  
to appear and attend there to receive such further Order from  
the Governor and Council.

The third of every company of what number soever the  
Company shall consist is to be Prayed to the use of a Match  
Lock Musquet which no man thereunto Appointed by the Captain  
shall refuse under the Penalty of twenty shillings but on the  
contrary shall appear and Obey with the same at all  
Praying whatsoever under the aforesaid Penalty.

The three Chiefs Officers of each Company have Power to Punish  
any Soldier or Soldier that shall Commit Disorder or Contempt  
upon any Day or time of military Exercise within their Count  
or upon any watch or Ward by such Riding Wooden Horse or  
usual military Punishment or by fine not Exceeding ten  
shillings or may commit such offenders to the Constable to be kept  
for some space of time who may bind him to the next  
Court of Sessions or commit him to Prison of the Court to require  
efforts of Contempt or disorder all any General Praying shall be  
heard and adjudged by the Major and the Captain only who have  
Power to double the fine or to double the Punishment upon the offenders  
though not to alter the manner which is directed the three  
military officers in Court Praying.



If any Person Carries or produces Arms or Ammunition with such  
Intent as to sell or to bring to the Captain so much Force  
as by Appraisement of the said Captain and two other Indifferent men  
whereof one to be chosen by the Party shall be adjudged of greater  
Value by a fifth part then such Arms and Ammunition is of  
he shall be Excused of the Penalty for want of Arms until he  
be Provided and the said shall Endeavour to furnish him as soon  
as may be by Sale of such goods to deposited Rendering the over  
plus to the Party But if any Person shall not be able to  
Provide him with Arms and Ammunition through more Poverty  
if he be Impell'd he shall be put to Service by the Constable and  
overseers of the Place where he dwelle or they shall Provide  
him Arms and Ammunition and shall appoint him when and  
with whom to work without.

Upon any Expedition upon occasion of an Enemy or any Project  
Military Service to be done all Smiths and other Artificers Work  
men shall immediately repair such Arms and other necessary  
as shall be brought unto them for that End for which they  
shall not receive such pay as the Country afford upon the Penalty  
of five Pounds for Every such Default and for such Proport  
all any other time more then Taylor shall forfeit for Every  
such offence three shillings

No man shall be Compelled to bear Arms or pay Rate by  
Tithes or Land without the bounds and Limits of this Government  
but from the Towns where no man shall be Exempted.

All Tithes and Contributions upon Indians shall be  
maintained by a General Assessment proportioned to each Person  
according to the Pay and Custom of England to Soldiers and  
half pay to Officers

In Respect of the Mutual and Brotherly Assistance which  
we ought all to bear to cherish and improve for the hope  
and Support of our English Neighbours in these his Majesties  
Colonies the Governor and Council may act at all times and  
in all Places by Writ of Habeas Corpus or otherwise Call to either List  
raise Arms and send forth out of this Government to the  
Relief of any Neighbour Colony all such as for many men  
as shall be lawfully Present them selves to the Justice of the  
Court or for men with this distinction only that if any Lord  
making use of that pretext to Escape from his Master shall  
be and absent himself from his Colony and not return if  
Living with his Officer such Servant for offending shall be liable  
to be Punished by Death according to the Discipline of War and  
the Master of such a Servant shall have reasonable Satisfaction  
allowed by the Governor for such Damage and to all Voluntary  
Soldiers for Loyd shall be allowed one Months Pay and



Made good by a General Agreement proportioned to each person  
all further charges are to be defrayed by the Colony to whose  
assistance they are Employed and all Justices of Peace Sheriffs  
High Constables and other officers are Empowered & required  
to suppress and hinder all Levies of Soldiers by Draft of  
Drum or otherwise to be compassed but such as shall be  
Authorized by his R. H. C. Immediate Warrant or the Governor  
and Council here Established.

X All Inferior Military officers shall Punctually obey the Orders  
of their Superiors in their Marches, quarters and Watches with  
out murmuring or repining under the Penalty of being fined at the  
discretion of the Major General and Captains from whose Sentence  
no Appeal shall be made to any Inferior Court nor Abatement  
granted Except by the Governor and Council.

X All Soldiers shall be respectful to their Officers and Obey  
to their Command in their Marching quaring and watching as  
well as Drilling while they are required to attend the Service  
under the Penalty for their Disobedience in Ordinary occasions  
of 5. Bull in Cash. Such Disobedience shall happen for the sake  
of an Enemy or when it is reasonably expected that the Enemy is  
at hand to make an Assault in such case the Officer or Officers  
shall Commit such Person into Custody and at the next convenient  
Time deliver to Sentence the Offender to some grievous Punishment  
by a Court martial or commit the whole Story of to the Court of  
Assizes who are Empowered to hear examine and determine the  
Cause and Lay what Punishment the Court shall think fit to impose  
upon the Offender.

X If any man Appointed to Stand Sentinell shall be found sleeping  
during that Duty where by the Lives of others are in danger  
he shall pay forty Shillings or suffer other Military Punishment  
but if he shall come off from being Sentinell without being  
relieved he shall forfeit £

Every man that Absents himself from the Watch without  
Leave from his Officer shall pay 5. and with Leave shall fine  
another in his place but if a man shall Depart from the Watch  
without Leave from his Officer he shall forfeit 10 or more with  
other pains and Penalties according to the Merits of the Damage  
that may ensue thereon.

That no Troop of horse shall exceed the number of forty except  
besides officers (Lieut) a Captain a Cornet a Quarter-master  
and three Corporals which officers and Privates (excepting as to observe  
the same times for Muster and Exercise in military Discipline with all other  
Circumstances Enjoyed upon the foot Officers and Soldiers  
Respectively Mutatis Mutandis. as before.



Every Troop: Listed in any Troop of horse: shall be and  
maintaine a good horse for service when required fitted  
with saddle, bridle, holster and Pistols and a carbine and a  
good sword under the Penalty of Linn shillings for the Loss  
of foot neither shall any Troop or Troop or Change his horse:  
and leave himselfe substitute under the Penalty of 5<sup>th</sup> and  
for non appearance upon days of muster and Exercise:  
Linn shillings & day neither is it Lawfull for any Troop:  
to disband himselfe but with leave from his Captaine under  
the Penalty of fifty shillings.

All officers both of horse and foot shall from time to time  
show their Superior officers in all things Relating to the  
military affairs of this Government and all other Penalties for  
offences in either officers or soldiers of a Troop of horse  
shall be in the same manner and applied to such cases as  
are etc. which directed and ordained in Relation to the foot  
officers and soldiers

## Officers and Offices.

All Sheriffs Under Sheriffs or High Constables shall be  
changed yearly Only the Under Sheriffs or High Constables by  
Speciall Warrant may continue in his office and Justices of  
the Peace are to continue in their Places during the Governor's  
Pleasure.

Justices of Courts, Clerks and Marshalls are to continue in  
their Places during their good behaviour for breach of  
which they are punishable by the Loss of their Places:  
and fine at the discretion of the Court.

That the Governor and Council may by Speciall Warrant  
displace any officer made or chosen within this Government  
for neglecting of his office or other notorious misdemeanors  
or behaviour in which case the Constable and Overseers of any  
Town shall proceed to a new Election to supply the vacancey  
as if the officer were dead according to the Rules prescribed  
for Election of Town officers.

## Orphans

That all Persons who have or shall have any Estate of  
good Chattels or Lands in their Possessions belonging to an  
Orphan shall exhibit an Inventory and Account  
of the said Estate within three Months next after.



Publication of this Law to the Respective Courts of Sessions  
where such Estate is and afterwards yearly and in Case any  
Person or Persons who have such Estate in their hands do not  
at the time and Place aforesaid Present the Inventory and  
account of such Estate aforesaid that then the said business  
be sent to the next Court of Assizes where the offender shall  
be fined for not doing of Exhibiting such Inventory and  
account as aforesaid and if any good Improvement  
shall not been made of the Estate and if it shall be thought  
convenient to continue it in the said Persons hands he or  
they shall give bond Caution and Security otherwise it  
shall be removed into ~~the~~ the hands of some other able  
and discreet Person or Persons as the Court shall appoint  
Upon the Caution aforesaid

## Overseers.

All Overseers shall be Eight in Number men of good  
fame and Life chosen by the Plurality of Free-  
holders in each Town. Whose of four shall remain in their  
office two years successively and four shall be changed for  
new ones every year. Which Election shall Proceed the  
Election of Constables in Point of time in regard the Constables  
for the year ensuing is to be chosen out of that Number  
which are Dismissed from their office of Overseers the new  
chosen Overseers are to be added to the Constables and Overseers  
to be confirmed by the Justice of the Peace at the next Sessions  
ensuing or by any Justice of the Peace of the same Riding  
out of Sessions the oath appointed for Overseers being admin-  
istered unto them.

Any one Overseer upon Sundry and necessary occasion the  
Constable being not at hand or not in health to Perform his office  
may take upon him the authority of a Constable provided that  
he carry with him the Staff of the office which shall be a  
sufficient warrant to any such Overseer to act by Virtue thereof  
in his R. I. C. name as any Constable might or ought to do

That whosoever being duly Elected shall refuse to serve  
as an Overseer he shall Pay the same fine and to the same  
use as is appointed for a Constable Refusing to serve  
in his office.



# Payments -

All payments upon contracts and Engagem<sup>ts</sup> shall be  
satisfied in Km<sup>o</sup>: According to Covenant. Provided that  
in such case where payment in Km<sup>o</sup> according to Covenant  
is by some inevitable accident hindered which could not  
be foreseen all just damages may be satisfied by garnish  
with the debt by Arbitration but in no case shall the  
creditor be forced to relinquish his just pretence to be  
satisfied in Km<sup>o</sup>: According to Covenant.

## Packer Cask Cooper Gager.

That all Cask used for any Liquors fish bris<sup>t</sup> Pork: or  
other Comodities to be put to salt shall be of London Assize  
of sound and well seasoned timber and that six Persons shall  
be appointed from time to time in all Places needfull to gage  
all such Casks or Casks and such as shall be found of other  
Assize shall be marked with the gager's Mark: who shall  
have for his Paym<sup>t</sup> 4. p<sup>er</sup> Cunn<sup>t</sup> and Every Cooper shall have  
a distinct brand mark: upon his own Cask: upon the Penalty  
of forfeiting twenty shillings and whosoever shall put to Sale  
any new Cask being defective either in workmanship timber  
or Assize as aforesaid upon due proof made before any of the  
County shall forfeit ten shillings of Cunn<sup>t</sup> and so: Proportionally  
for Greater or Lesser Cask: and be sure: there may be no  
neglect in the choice of a Gager or Packer that Every County  
within this Jurisdiction wherein any Cask: are made shall yearly  
make choice of a fit man for that Employment who being  
Proposed by the Constable: within one Month after Charges  
made before the next Justice: of the Peace: shall take the  
oath belonging to his Place which if he shall refuse: he  
shall pay the sum: of forty shillings and another shall be chosen  
in his room: Also the Constable shall either of them -  
suffer the like penalty for their neglect of this Order and Every  
Gager or Packer shall be: that all Cask: the Packs booke: Pork:  
or Mackerell fish or other goods committed to his care: be of true  
and full Assize: and that he Pack: the same in no other  
Cask: whatsoever on the Penalty of ten shillings for Every  
Cask: by him Pack<sup>d</sup> that is or shall be defective in that Respect  
one half to the Informer and the other half to the  
Governour.



# Pipes Staves.

That the Constables and Overseers in all Towns within this Government where Pipes Staves shall be Shipped doo from time to time as Good shall require Nominate two men of each Town skillful in the Comodity and such as shall attend the Service to be Owners of Pipe Staves who so chosen shall be by the Constable Convoaled before some Justice of Peace to be sworn Diligently and faithfully to Order and Search and such Pipe Staves as are to be Transported and to be used for making of Right Cask: who shall Pass by all such as they shall Judge Not Merchentall: both in respect of forme: hole and butt: (VV) that are: not more than Longe four: foot and a half: in breadth three: Inches and a half: without Pappin thickness: three quarters of an Inch and not more or Less than an Eight Part: of an Inch then three quarters thick: well and Even hewed and sufficient for use: and they or some one of them shall at all times upon request give abundance: and they shall Enter into a Book: the Number of such Merchentall: Pipe Staves as they shall Approve and for whom: and if any man shall put on board or other board any Pipe Staves other then what shall be so then Search and Approved by the End to be Transported to any Place: Except they should be transported for Dry Cask: he shall forfeit the same: whole: Part of the Value: then of and the Owners shall be allowed 2 for Every thousand of Pipe Staves which they shall Search as well the same as the Merchentall to be Payed by him: that sell him on board.

And if any Master or other Officer of any Shipp or other Vessel shall bring into such Shipp or Vessel any Part of Pipe Staves to be transported as aforesaid which shall not be Searched and Allowed as Merchentall and so: Certified by a not: Under the hand of one of the said Owners such Master shall forfeit for Every thousand of Pipe Staves so: Unduly received: Except he can shew Cause: one of the said Owners to come on board and Search such Staves as shall be delivered into the ship PROVIDED Cask: or v. fur: Staves or other Roddick Staves may be Transported into this: Parts which may be of good use: for Dry Cask: the: as the same be Carried to distinct Parts and not Intermixt with Merchentall: Staves

## Possession

Every Person or Persons that hath either by himselfe or his Assign: or grant: Possession and Occupie: any Lands or Houses as his or their Proper Right in fee simple within this Government and so: Continue whether in their own Persons their heirs or assigns or by any other Person or Persons from or Under them



them in Possession as aforesaid without Disturbance: Lest  
suit or Breach Locally made to such Land is kept for the  
Term of four years and shall so remain without any  
claim Locally entered against the Person before the  
first Day of September which shall be in the year of our  
Lord 1665 kept from and after the said first Day of  
September and forever enjoy the same without any Lest  
suit or Disturbance or Breach any claim or Breaches of  
any Person to the contrary notwithstanding Provided that  
it shall be Lawfull for any Person that finds himselfe  
aggrieved herein to make his appeal to R. J. C.

## Prisons and Stocks

Every Parish shall at their Charge Provide a Pair of  
Stocks for offenders and a pound for Pounding of Cattle  
Prisons and Pillories as Likewise to be Provided in those  
Counties where the severall Courts of Sessions shall be hold.

That the Justices of Peace of each Riding shall Chuse a  
Piece of ground to be Laid out in the same town where  
their Prisons shall be kept whereon shall be built a House  
and Prison for the detaining of the Charges thereof  
and it so be made throughout each Riding at the next  
Court of Sessions following the first Assizes.

The Pound and Stocks shall be Provided in each County  
under the Penalty of forfeiting forty shillings for each  
County for their Neglect therein for every Month after  
Warning from the Governour.

## Publick Affaires

Whereas this Government may in many Occasions be  
Disappointed of News and Speedy Information of Publick  
affairs out of England as well as out of the Neighbouring  
Colonies to the remedy of such faults and Inconveniences  
Every Constable to whom any Letter shall come directed  
to the Governour Addressed on the back side of the Letter with  
the name of any of his Maj. <sup>ty</sup> Principall Secretaries of State  
or his R. J. C. Secretary or with the name of any one of  
the Governours of any of his Maj. Colonies of New England  
or any Letter sent from the Governour to the Sheriff or  
any of the Justices of York shire upon Long Island and so  
addressed as aforesaid shall dispatch them within three hours  
at the furthest after Receipt thereof to the next Constable



Constable and for forwards as the Law directs upon the Penalty  
of 40 for every Hours Delay and in each Case all Constables are  
compounded to provide a sufficient Body and Man for that Purpose  
allowing for horse and man satisfaction six pence for each mile  
travell which shall be discounted to each Constable in the  
Publick rates.

## Records.

All records of bargains and Sales or any other Convoins  
Admissions or Probats of Wills with the North and South Riding  
shall be transmitted to the office of Records at New York  
with the fees ordained for the same within one month after  
the Records shall be made in the Courts as is Elsewhere Permitted  
if in the East Riding within two Months.

Provided always notwithstanding that Purchases of  
Lands under the Value of thirty Pounds are not obliged  
to be Recorded at New York but in the County where such  
Purchases are made or any the Sessions.

## Saylers.

To prevent many Misadventures which are frequently  
permitted by Saylers by their inordinat: Drinking and other  
vain Expenses in Ordinaries whereby the Masters and Owners  
of the Vessels to which they belong may be prejudiced by  
Arresting or detaining such Saylers for Debt when their  
Ships are Ready to Sitt Sail. Noe Victualler or Inkipper or  
other Seller of Wine Beer or other Strong Liquors shall after  
the first Day of March 1664 Arrest Attach or Recover  
by Law any Debt or Dollars to be paid by any Saylers in any  
place aforesaid are not within the Jurisdiction and Except  
the Master or Owner of such Shipps consent to release such  
Debt shall being given under his hand to Discharge the  
same.

## Sheriff

The High Sheriff from year to year shall be a  
Justice of the Peace in the Riding where he inhabits during  
the time of his Office by virtue thereof  
The High Sheriff shall have Power to Issue forth any  
Writ or Warrant according to the Nature of the Plaint



The High Sheriff may if he please or soe cause forth  
write as aforesaid in any of the Meetings or Courts of the  
County where hee dwelleth.

The High Sheriff shall have the nomination of the  
Marshalls in each Riding and is to take Security of them  
that each Riding shall have their Turne in having a  
Sheriff chosen within their Jurisdiction successively and  
the Justice in the Last Session before the Expiration of  
the Office of the then Sheriff shall Present to the Governor  
in Writing the Names of three Persons within whose Jurisdiction  
out of which the Governor may make choice of one to bee  
Sheriff for the year ensuing

## Towne Ships

Whereas in Particular Towns & many things doe  
arise which concerne only themselves and to the Ordering  
thereof as the Disputing Planning Building or the  
Laying of their own Land and Woods Granting of Little Education  
of Officers Agreeing of Rates with many other Matters of a  
Municipall Nature tending to the Peace and Good Government  
of the respective Towns the Constable by and with the Consent  
of the Justices of the Peace for the time being  
shall have Power to ordaine such and soe many Peculiar Statutes  
as are necessary to the Welfare and Improvement of the same  
Provided they be not of a Criminal Nature And that the  
Penalties exceed not twenty shillings for one offence and that  
they be not Repugnant to the Common and Publick Lawes  
And if any Inhabitant shall refuse or Neglect to observe  
them the Constable and Overseers shall have Power to Levy  
such fine by Distress.

If any Marshall shall offend officiously at any Court  
held towards or before the Constable and Overseers they  
shall have Power to Sentence him for such offence the  
Penalty not exceeding Twenty shillings

Provided always that every such Peculiar Constitution  
be confirmed by the Next Court of Sessions after the  
making thereof otherwise to be void and of None  
Effect.



# Of the

All Votes in the Private affairs of Particular Towns shall  
be given and determined by the Inhabitants freemen and  
mayors committed to Arbitration or all persons either as to Juries  
in all cases or to Justices upon the Bench where the Law is not  
clear shall be carried by the Major Parts of the Suffrages  
The Minor Part to be concluded by the Vote of the Mayor.

# Warrants.

All Writing Warrants or Licences under the Governours  
Hand and Seale shall be set forth and observed as special  
Warrants or Licences to all Intents and Purposes.

# Weights & Measures

That the High Constable in each Riding shall provide  
at the Pullage Charge several Standards of Weights and  
measures which shall be sealed with a Common Seal. Appointed for  
that Purpose that they may be uniform and continued  
for weights a set of eleven weights to four pound with the last  
weights enclosed according to above said pound consisting  
of sixteen ounces with a good beam fit to weigh and try  
them for four measures that they be one bushel one peck and  
one half peck to be fixed to Winchester measure in England  
and measure for Liquids as the ale quart wine quart wine  
Pint and half-pint and that there be one ell & one yard  
That all and each may be according to the General Custom  
of England and that in goods sold by the hundred weight five  
score and twelve to be allowed Except in hales to be sold by  
the hundred to which six score is to be allowed by the hundred  
and in goods sold by the ell and yard one thumb breadth to be  
allowed to the Length of the ell and yard that the Constable &  
Overseers shall choose some five men in each town to be sealers  
of such weights and measures which men so chosen they shall  
Present to the next Court of Sessions there to be sworn to  
the faithful discharge of his duty and he shall have Power  
to send forth his Warrant by the Constable to all the Inhabitants  
of that town to bring in all such weights and measures as they  
make use of once in every year at such time and Place as they



Who shall appoint and then to fix them to the standard above  
mentioned and make them with the pounds mark - and the scales  
shall have for every weight and measure from the owners  
thor: of the Pence at the first sealing and for growing and  
sealing them yearly after one Penny all such weights and  
measures as cannot be brought to their just standard shall  
be taken out & destroyed: them and if any High Constable - over-  
seer or bailor shall neglect his or their duty and trust to other  
shall pay as a fine to the town forty shillings and every  
person that after due notice given shall neglect to bring in  
his weights and measures he shall pay three shillings and four  
pence for every such default the one half to the bailor -  
and the other half to the town: and if at any time any person  
within this Government shall buy or sell by any sales or challenge  
weight or measure to the damage of his neighbour he shall  
forfeit (besides correction) double the value to the town -

## Witnesses.

No man or woman shall be put to death without the  
testimony of two or more witnesses the confession of the party  
or other equivalent circumstances.

In all cases whether civil or criminal but not capital, properly  
under the cognizance of a Constable and Over-seeer it shall be  
lawful for the Constable to require and take the Oath of any  
person - above the age of fourteen years and of sound under-  
standing and make record thereof. That if any part of  
evidence or testimony shall at any time make a record of any  
such case the evidence may appear.

Every witness in any action may require as due to him  
from the party at whose suit he appears two shillings ex-  
penses for every day's attendance. Whether he gives in his  
evidence voluntarily or being served with a subpoena it is in  
his choice whether he will appear or not.

It is always to be understood that the party defendant or party  
whether in civil or criminal cases shall pay all charges of  
what kind soever which arise from the prosecution of the  
suit.

## Wolves.

If any person whether Christian or Indian shall at any  
time bring the head of a wolf or a dog to any Constable upon  
Long Island the said Constable is required to take two of the  
over-seeers to him and then and there to pay and satisfy such  
person or persons to the value of an Indian Buck to be allowed.



Out of the Public Charge of the Towne water Provided always  
that the Constable and Overseer shall require the oath of every  
Christian who brings the head of a wolf or wolfe brought into  
the Towne with the time and Circumstances and Killed upon Long  
Island only. Provided also that the Constable and Overseer have  
due regard of such wolfe or wolfe brought by the Indians that  
they approve to be fresh and newly Killed upon Long Island and  
not Old where And the Constable and Overseer are to cause the  
head to be nayed over the doors of the Constable there to remaine  
as also to put of both the Eares in London that the head is bought  
and Payd for.

## Wrecks.

If any Shipper or Person belonging to either friend or Enemy shall  
at any time suffer Ship or wreck upon any of the Coast of this  
Government they shall not wrong or violence be done to  
offered to their Persons or goods but their Persons shall be  
kept bound and released and their goods preserved from Spoil  
and Imbeilement and all Justices of the Peace Mayors Sheriffs  
High Constables Petty Constables and Overseers are strictly  
charged to be vigilant therein and upon notice of any such  
Accident within any of these Places to repair to the Place  
and give Order therein for the release of the Persons and saving  
of the goods until Notice thereof be given to the Governor and  
Council who will proceed therein according to the Lawes of  
England and Cause full Satisfaction to be given to such as  
have been Employed there time and Labour to the preserving such  
Persons and goods And the said goods if they belong to friends  
and by warrant from the Governor and Council to be Restored  
to the Owners if any can be found or known.

Alsoe any whale or any such Like great fish that shall be  
Cast upon the Shore of any Province shall be taken into the  
Care of any of the Officers above mentioned to be kept or  
improved where it cannot be kept and by such Officers only  
until the Governor and Council after Notice sent shall  
give further Order therein.

And the Acknowledgment which shall be Received to  
be Payd for the whale or such Like great fishes Cast  
upon the Shore of any Province shall be the fifteenth  
Gallon

(JAMES)



Concordatium originall

By Command of his Royall Highnesse  
The Wren.



# The formes of Summons Attachment Replevins.

To A. B. of C Carpenter

Summons

You are in his R. H. name required to appear at the  
next Court of Sessions holding at C. in the E. Riding  
of York shire upon Long Island on the Day of the  
next Ensuing to answer the Complaint of J. H. for  
with holding a Debt of £100 upon bond or bill or for  
two heafers &c sold you by him or for work done or for  
a trespass done him in his corn or hay by your cattle or  
for assault done him in his name or for striking  
and the like and how if you are not to fail at your Plea  
Dated the Day of and in the year of our Lord 16

## Attachment

You are in his R. H. name required to attach the body  
and goods of J. K. and to take him to the Gaol  
of with sufficient surety or sureties for his appearance at  
the next Court of Sessions holding at L. in the N. Riding  
of York shire upon Long Island on the Day of the Month  
of the year and there to answer the Complaint of  
M. O. for &c as before and to make a true Return thereof  
of under your hands Dated.

## Replevin

You are how by Required in his R. H. name to replevy three  
heafers of P. Q. now distrained or impounded by R. S. and to  
deliver them to the said P. Q. provided he give bond to the Gaol  
of with sufficient surety or sureties to prosecute his  
Replevy at the next Court of Sessions holding at T. in the  
West Riding of York shire upon Long Island and soe from Court  
to Court till the cause be ended and to pay such costs and damages  
as the said R. S. shall recover by Law against him and to  
make a true Return thereof under your hand Dated &c.

I know all men by these Presents that A. B. of C yeoman  
and J. C. of the same Parishes have binde our selves our  
heires Executors to J. H. High Sheriffe or H. J. Constable



of Oafordaid in Pound upon condition that the said  
A. B. shall personally appear at the next Court of Session  
holden at K in the Court Riding of York. shire upon Long  
Jeland to answer L. M. in action of and to abide  
the Order of the Court therein and not to depart without  
Licence.

JAMES.  
Concordat Cum Originali

By Command of his Royal High.  
M. Wren.



# The Oath of Fidelity to his Royal Highness.

I. A. B. doo swear that I aming the Faith and all Obedi-  
ence due to our Sovereign Lord the King will be true  
and faithful so long as I shall be a member of this Colony  
to his Royal H<sup>ch</sup> James Duke of York and Albany and  
Lord Proprietor of this Colony and of New York and the  
Islands and Places thereunto belonging and to his heirs  
and Lords Propriet. of the same and to his or their Lieut<sup>ts</sup> or  
Chief Governor here for the time being and will not  
at any time by words or Actions in Publick or Private  
wittingly or wilfully any way derogate from such will  
at all times as occasion shall require to the utmost of  
my Power defend and maintaine all such his S. R. H<sup>ch</sup>  
and his heirs just and Lawfull Rights Titles Inheritance  
Privileges Jurisdiction prerogatives property and Dominion  
over and in the S<sup>d</sup> Colony and Islands and Places thereunto  
belonging and over the People who are or shall be therein  
for the time being as are Granted his S. R. H<sup>ch</sup> and his  
heirs by our Sovereign Lord the King Charles the Second  
in his S. R. H<sup>ch</sup> Patent Under the Great Seal of England  
not any wayes Underscore to Infringe or Prejudice Liberty  
of Conscience in Point of Religion and I doo also swear  
that I will with all Expedition Discovers unto his S. R. H<sup>ch</sup>  
or to his L<sup>ty</sup> or other Chief Governor and the S<sup>d</sup> Colony for  
the time being and use my best Endeavour to Prevent any  
Plot Conspiracy or Combination which I shall know or have  
Just Cause to Suspect is or shall be Intended ag<sup>t</sup> the Person  
of his S. R. H<sup>ch</sup> or his L<sup>ty</sup> shall find any wayes to the Diminution  
or Suppression of his S. R. H<sup>ch</sup> or his heirs their  
Right Title Jurisdiction and Dominion aforesaid or any Part  
thereof and I doo swear that I will not either by my selfe  
or by any other Person or Persons directly or indirectly take  
Accept Receive Purchase or Possess any Lands Tenements  
Hereditaments within the S<sup>d</sup> Colony of New York or the Islands  
or Places thereunto belonging from any Indian or Indians  
to any other use or other than to the use of his S. R. H<sup>ch</sup> and his  
heirs Lords and Proprietors of this Colony or lawfully



from any other Person or Persons not deriving a  
Legal Title thereto by from or under some grant  
from his R. H. or his Heirs, Lords and Proprietors  
of his Colony Legally Paid or to be Paid under his  
or their Great Seals of the said Colony for the time  
being (So help mee God)

We severall Oaths of one of  
the Council, a Justice of the  
Peace & High Sheriffe.

You being admitted of the Council to the Governor  
under his R. H. the Duke of York: within those  
Territories comprehended in his Maj<sup>ty</sup> Letters Patents  
God Incare by the Ever Living God that you will to  
the best of your Indym<sup>ty</sup> and at all times freely  
give your advice to the Governor for the good Manag<sup>mt</sup>  
of the Publique affairs of this Government and that  
you will not reveal: directly or indirectly such matters  
as shall be debated in Council or committed to your secrecy  
but will in all things be a true and faithful Councellor.  
When you are therunto required (So help you God)

High Sheriffe

Whereas you are chosen and appointed by the Governor  
and Council Established under his R. H. the Duke of York:  
to be High Sheriffe for this present year 166. and over  
yourself: you do: Swear by the Ever Living god that  
you will discharge the Trust reposed in you with a good conscience  
and diligence: and without Partiality to Persons you will by  
your self: or your sufficient Deputy: serve out all <sup>attest</sup> warrants  
Attachments Executions Judgments as Properly to your office  
and Punctually observe all laws to you directed from any  
Court or Superior Authority of this Government you will from  
time to time call the High Constables of each Liberty to an  
account for all fines levied and all other Publick  
monies in their hands: and deliver the same to such officer  
in that behalf appointed by the Governor and Council being your best  
Endeavor for the Collecting and bringing the said Summes to the  
Governor and Council at New York: you will also Receive



yearly a true Account and make good Payment thereof and  
will in all things behave your self according to the Quality of  
your office - and so God Assist you in your Duty

## Justice of the Peace

Whereas you are Chosen and Appointed by the Governor  
and Council Established Under his R: H: to be a Justice of  
the Peace over the Jurisdiction W: N: E: Riding of York-  
shire upon Long Island you do Swear by the Ever Living  
God that you will truly Endeavour to the best of your Skill  
with a good Conscience and according to the Laws of this  
Government to preserve Justice Equally and Impartially to all  
Men and to all Persons who shall be Committed to your Office  
you are Empowered Soe Help you God.

## High Constable and Under Sheriff

Whereas you are Nominated and Confirmed by the  
Governor and Council Under his R: H: to be High Constable of York-  
shire within the Jurisdiction of W: N: E: Riding of York-  
shire upon Long Island you do Swear by the Ever Living God that you will discharge the Trust  
reposed in you with a good Conscience and Diligence in all things  
whereunto you are Empowered by Law you will Execute and Perform  
all manner of Warrants Summons or the Like with shall  
be to you Directed from the Governor and Council the Justices  
of the Peace within this Riding or the High Sheriffs of York-  
shire you will truly and Diligently take the Accounts from  
each Petty Constable and then deliver to the High Sheriffs  
with the Names of the Constables or Constablers as shall fail  
in their Office in not collecting and bringing to you such Sum-  
or Summs as are due to the Public within their Respective  
Towns Soe Help you God

## Constable

Whereas you are Chosen in your Town and confirmed by the  
Justices of the Peace of the Riding to be Constable of the  
Town of for one year and until another be chosen in  
your Place you do Swear by the Ever Living God that you will  
carefully Endeavour the Performing of the Peace and the Execution  
and Preservation of all attempts against the same you will duly  
Execute all Warrants which shall be sent unto you from the Governor



and Concessions Established under R. A. J. H. M. Dub. of York.  
and Faithfully Execute all such warrants and Orders of what  
Nature so ever from the Court Established by Law with your  
 utmost Care and Diligence: impartially in all faithfully  
and with what Speed you can Lay out such fines rates and  
sums of money due to the Collig. in such Manner or Manner  
as shall be for which you shall have sufficient warrant Rendering  
an Account thereof and the Disbursements to the High Court and  
with like Faithfulness Speed and Diligence: to the Lord all  
Attachments Executions Writs in Criminal Cases between  
Party and Party according to the Statutes of Court and  
Manner: voluntarily thereunto by whom they are returnable  
into the same Court and further you shall frequently advise  
and consult with and where and Disburse Arrears within  
your Town and Limits by small Accounts or otherwise as  
it by Law appointed you will account: a Sumner Return  
of the Overl. of your Town and Limits to sit as a Court  
Court for the hearing determining or composing all Matters  
pertaining to your Cognizance and in all things Obey  
your H. H. as he comes the Office of a Constable and your  
Duty to the Laws of this Government So Help you  
God

## OVERSEER

Whereas you are chosen & appointed  
an Overseer in the Town of You do  
swear By the Everliving God That  
you will faithfully & diligently discharge  
the Trust reposed in you in relation to  
the publick & Town Affairs according  
to prest Laws Established without favor  
Affection or partiality to any person  
or Cause which shall fall under your  
Cognizance as an Overseer And at all  
times when so shall be required by your  
Superiors to attend the private differences  
of Neighbo. so will endeavor to reconcile



Them & in all Cases Conscientiously  
& according to the Best of yo<sup>r</sup> Judgment  
deliver yo<sup>r</sup> Voice in the Towne Meetings  
of Constable & overseers So help  
you God ~

You do swear by the Everliving God  
That you will Conscientiously deliver  
yo<sup>r</sup> Verdict in the cause Depending  
betwene A B. & C. D. in this Court  
according to the Evidence Given you &  
the Lawes of this Government  
So help you God: ~

You do swear by the Everliving God  
That you will Conscientiously Try &  
truelij deliver your Verdict Betwene  
our Sovereign Lord the King & the  
prison<sup>r</sup> at the Barre according to yo<sup>r</sup>  
Evidence & the Lawes of this Countrey  
So I help you God

you do swear by the Everliving God that  
if Evidence you shall give into this Court  
concerning the Cause or person now in  
Question shall Bee y<sup>e</sup> Truth the whole  
Truth & nothing but the Truth So help  
you god



Whereas you are chosen & appointed  
Marshall for this Jurisdiction you  
do swear by the Everliving God To  
be true and faitfull in yo<sup>r</sup> office Not  
to suffer wittn<sup>l</sup>y or willingly any  
prison<sup>r</sup> committed w<sup>o</sup> yo<sup>r</sup> Charge to escape  
nor to sett any prison<sup>r</sup> at liberti without  
a legall warr<sup>t</sup> for his deliv<sup>r</sup>ence as also  
that you will not exact extravagant  
prices but conform<sup>e</sup> yo<sup>r</sup> selfe to the  
Rates allow<sup>d</sup> for the Lodging & dyett  
of prison<sup>r</sup> without fraud or corruption  
So helpe you God

Whereas you are chosen Apprizer  
of such goods lands houses or Cattle  
which are now under yo<sup>r</sup> considera<sup>n</sup>  
you do here swear by the Everliving  
God That all partialiti<sup>y</sup> preJudice  
or any sinister Respects layd aside you  
will apprise the same & every part  
ther<sup>e</sup> of according to the true value  
ther<sup>e</sup> of at the price now Currant  
according w<sup>o</sup> yo<sup>r</sup> best Judgm<sup>t</sup> and  
Conscienc<sup>e</sup> So helpe you God



W<sup>h</sup>ereas You are chosen & appointed View  
of Pipestaves within the Towne of  
you do sweare By the Everliving god That  
at all convenient times whilst you shall  
bee in place or shall bee Required to Execute  
yo<sup>r</sup> office You will diligently attend the  
same & without faw<sup>r</sup> Affection or Corrupti-  
on sort all Pipestaves presented to you  
Rejecting such as are Not Merchantable  
and make a true Entry thereof according  
to law So help you God.

You do sweare By the name of the  
Everliving God That in the Office of a  
Surveyor you will according to yo<sup>r</sup> Best  
Skill & Ability diligently & faithfully  
discharge the Trust committed to you with-  
out fraude or corruption So help you  
God

You do sweare By the name of the Ever-  
living God That in the office of a public  
notary you shall demean yo<sup>r</sup> selfe  
diligently & faithfully according to the  
duty of yo<sup>r</sup> office And in all writing  
Instruments & articles That you are  
to give Testimonij unto when you shall  
bee required you shall performe the same  
truly and sincerely according to the natu-



There of without delay. Corin and  
you shall Enter & keepe a true regist  
of all such things as belong to yo. office  
So help you God

Whereas you A. B. are chosen  
packer of beefe Pork & other things  
the Towne of you do here swear  
by the name of the Everliving God That  
you will well & truly pack all Beefe  
pork & other things when you shall be  
there unto Required. you shall pack  
no kinde of Goods but such as are good  
and sound nor any goods in any cask  
that is not of a Just & full Gage you  
shall also set yo perticular Marke upon  
all Cask packed by you & in all  
things proper to the place of a packer you  
shall faithfully discharge the same  
from time to time according to yo best  
Judm<sup>t</sup> & Conscience So help you  
God

You being admitted of the councell  
to the Govern<sup>r</sup> under his Royall high-  
nesse the duke of Yorke within these  
Territories comprehended in his Ma.<sup>ties</sup>  
letters p<sup>a</sup>tents do swear by the Ever-  
living god That you will to the best



45  
of your Iudm<sup>t</sup> & at all Times freely give yo<sup>r</sup>  
Advice to the Govern<sup>r</sup> for the good managem<sup>t</sup>  
of the publycke Affayres of this governm<sup>t</sup> and  
that you will not Reveal<sup>e</sup> directly or indirect  
ly such matt<sup>r</sup> as shall bee debated in Councell  
or committed to yo<sup>r</sup> Secrecy But will in all  
things bee a true and faithfull Councello<sup>r</sup>  
when you are there unto Required So  
Help you God. = .

The Comes of Simons Attachm<sup>ts</sup> &

To A, B of C Carpenter: You  
in his Maties name are required to appear  
at the next Court holden at (D) on the day  
of the Moneth of next ensueing to answer  
the complaint of E, F for withholding  
a debt of due upon a Bond or Bill or  
for two heifers &c. sold you by him or for  
workd or for a Trespassc done him in his  
Corn or Hay by your cattle or for a Slander  
done him in his Name, or for striking him  
or the like And here of you are not to