

BANKRUPTS.

ney in Fact, shall give his Bond (with such Security as the Chancellor shall approve of) to satisfy all Debts due from the Assignor or Conveyor at the Time of giving Bond, to any Residents of this Province, so far forth as the Goods, &c. shall come into the Possession of such Agent or Attorney. 1753, *ch. 36, §. 1.*

4. The Bond (so entered into according to the foregoing Article) shall be lodged with the Register of the Court of Chancery, and kept among the Records of the said Court: And every Creditor of the Assignor, residing within this Province, may, on Application to the Chancellor for Assignment of such Bond, put the same in Suit against the Assignee or his Sureties, for Neglect or Refusal of Payment. *Ibid. §. 2.*

5. Such Bond shall not be pleadable after the Debt or Thing in Action shall be above Three Years standing: Except Persons under the Impediments of Infancy, Coverture, Insanity of Mind, Imprisonment, or beyond Seas, who shall have the full Benefit of such Bond for Three Years after such Impediment removed. *Ibid.*

BANS. See *Marriage.*

BAPTISM. See *Negroes, 2.*

BARRELS. See *Gauge of Barrels.*

BASTARD-BEARING WOMEN-SERVANTS.

See *Servants, 15.*

BASTARD CHILD. See *Fornication, 6. Servants, 15, 22.*

BASTARD MULATTOES, begot by White Persons. See *Mulatatoes.*

BEARS.

1. An Allowance in the County Levy of 100th Tobacco shall be made for every Head of a Bear, killed in *Somerset* County, which shall be brought to any Justice of the said County; which Justice shall cause the Ears thereof to be cut off, and the Tongue to be cut out; and grant a Certificate thereof to the Party producing the said Head. 1728, *ch. 12, §. 1.*

2. But no Justice shall grant Certificate for any Bear's Head, (unless killed by an *Indian*,) till Oath be made, that the Bear was killed in the said County: Nor for the Head of a Bear killed by an *Indian*, unless it be entire, and appear to be green and fresh killed. *Ibid. §. 2.*

3. The above Act is continued without Limitation, by 1732, *ch. 9.*

4. *Worcester* County being erected out of *Somerset* County in the Year 1742, an Act was passed to encourage the destroying of Bears in *Worcester* County, to the same Effect with the above, *mutatis mutandis.* 1744, *ch. 1.*

BEEF. See *Bacon. Gauge of Barrels.*

BEYOND SEAS. Persons beyond Seas are excepted out of several Acts, and Causes of Limitation, &c. for which, see *Administration Bonds, 3. Bankrupts, 5. Country-Bottoms, 4. Limitation of Actions, 3, 6, 7, 8. Specialties, 2.*

BIGAMY.

The *English* Statute of 1 *Jac. I.* against Bigamy, declared to be in Force within this Province. 1706, *ch. 8, §. 1.*

BILLS OF COST.

1. The Clerks of the several Courts of Record, Register of the Court of Chancery, and Register of the Commissary's Court, shall deliver to the Defendants, if required, full Copies, in a fair legible Hand, of all Costs of Suit recovered of such Defendants. 1731, *ch. 15, §. 3.*

2. Any Clerk or Register, refusing so to do, shall forfeit 2000th Tobacco; one Half to the Public School of the County, the other Half to the Informer. *Ibid.*

3. Clerks, &c. in Taxing Costs, shall deduct the same Allowance for Convenience (See *Fees, 3.*) as ought to be made by the respective Officers; nor shall Execution issue for more than such Costs amount to after such Deduction. 1763, *ch. 18, §. 26.*

BILLS OF COST.

4. Where Plaintiff or Defendant in any Suit shall have Judgment for Costs, and hath paid the same in Gold and Silver as regulated by this Act; the Party against whom such Judgment is rendered, may discharge the Whole, or such Part thereof, as the opposite Party really and *bonâ fide* paid in Gold and Silver as aforesaid. *Ibid. §. 117.*

BILLS OF EXCHANGE.

1. Bonds for Payment of Bills of Exchange shall not be sued in any other than the County Court, unless the Sum due on such Bill of Exchange, amounts to 20^{l.} Sterling. 1714, *ch. 4, §. 4.*

2. Where a Drawer or Indorser of any Protested Bill of Exchange is sued, no more than one lawful Fee shall be demanded or taken by the Attorney prosecuting or defending such Action, tho' there be Two or more Indorsers and the Drawer sued. And the Plaintiff may, at his Election, declare against such Defendants in one or more Declarations on the same Writ. *Ibid. §. 6.*

3. No more than 20 per Cent Damages, with Costs, shall be allowed on any Protested Bill of Exchange whatsoever. 1715, *ch. 7, §. 1.*

4. Bills of Exchange Protested, and returned into the Province within Four Years after the Date, shall be of equal Nature with Specialties, and regarded as such by Executors and Administrators, on timely Notice thereof. *Ibid. §. 2.*

5. Bills of Exchange returned Protested within 18 Months from the Date, shall be allowed no more than 15 per Cent Damages. *Ibid. §. 3.*

See *Advancement of Justice, 5. Suits at Law, 4.*

BIRTHS, Burials and Marriages, are to be registered with the Vestry Clerk. 1702, *ch. 1, §. 10.* See *Vestry, 13-16.*

BLASPHEMY.

1. Persons convicted of (wittingly, maliciously and advisedly, by Writing or Speaking) Blaspheming or Cursing GOD, or of denying our Saviour JESUS CHRIST to be the SON OF GOD, or denying the HOLY TRINITY, or the GODHEAD of any of the THREE PERSONS, or of the UNITY OF THE GODHEAD, or of uttering any profane Words concerning the HOLY TRINITY, shall, for the First Offence, be bored through the Tongue, and be fined 20^{l.} Sterling, to the Use of the County: And in case the Fine cannot be levied on the Offender's Body, Goods, Lands, &c. shall suffer Six Months Imprisonment, without Bail. 1723, *ch. 16, §. 1.*

2. For the Second Offence, the Offender shall be stigmatized in the Forehead with the Letter B, and fined 40^{l.} Sterling, to the Use aforesaid: And in case the Fine cannot be levied, &c. shall suffer Twelve Months Imprisonment, without Bail. *Ibid.*

3. And, for the Third Offence, shall suffer Death, without Benefit of Clergy. *Ibid.*

4. Informations for Blasphemy shall be made within One Month after the Fact. *Ibid. §. 13.*

BOATS.

1. Persons Stealing any Ship, Sloop, or other Vessel, within the Body of any County, of 17 Feet Keel or upwards, and carrying the same above Ten Miles from the Place where Stolen, or who shall counsel, hire, aid, abet, or command any Persons to commit the said Offence, or who shall be accessory to the same, shall, on Conviction, Outlawry, standing Mute, or challenging above Twenty on the Jury, suffer Death, without Benefit of Clergy. 1737, *ch. 2, §. 4.*

2. Persons convicted of wilfully Burning any Ship or other Vessel, Sloop, Shallop or Boat, of 17 Feet Keel or upwards, and their Aiders or Abettors, shall suffer Death, without Benefit of Clergy. 1744, *ch. 20, §. 2.*

3. Persons