

Judgement shall be affirmed as well all and singular the debts damages and Costs adjudged by the Judgement, as also all Costs and damages that shall be awarded at the Provinciaall Court for the same delaying Execution then the said Bond to stand in full force and Vertue And Whereas it hath been found of ill consequence to this Province that no Provision hath been made for the limitation of Appeals from the severall & respective Counties to the Provinciaall Courts. Bee it therefore Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that no person or persons whatsoever against whom any Judgem^{ts} shall be given in any County Court within this Province, wherein the debt or damages, for which such Judgement shall be given as aforesaid, doth not amount to or exceed the sum of twelve hundred pounds of Tobacco shall be allowed any appeal but such Judgement by the Justices of the County Court so given and entred as aforesaid shall be diffinitive for any debt or damages under the sum afores^d any Law Statute or useage or Custome to the contrary notwithstanding. And whereas also by the Law of England there is no rules prescribed for the Prosecution of Appeals (being not altogether agreeable to the Practice of the same Law) yet being found necessary and convenient for the good of this Province as aforesaid Bee it therefore Enacted by the Authority aforesaid that the Method and Rule for prosecution of such Appeals as aforesaid shall for the future be in manner & forme Expressed (that is to say) the party appealeant shall procure a Copy or transcript of the full proceedings of the said Court from whence such appeal shall be made under the hand of the Clerk of the said Court and the Seal of the said Court, and shall cause the same to be Transmitted to the Provinciaall Court the next ensuing, and shall also at the same Provinciaall Court file in writing according to the Rules of the Provinciaall Court such Error in the said Proceedings as he shall think fitt to Assign or such Causes or reasons as he had for making the said Appeale. Whereupon and upon the said Transcript the Provinciaall Court shall proceed to give Judgement as in Cases of Writts of Error is usuall Provided this Act shall not extend to barr any Person or Persons from suing out Writt or Writts of Error according to due Course of Law but that every such person or persons shall be left to their Elections whether they will bring a writt of Error or sue out an Appeal as aforesaid Provided also that every person or persons that shall sue out any writt of Error or supersedeas in any case whatsoever shall before such Writt of Error or supersedeas be Issued enter into bond wth the penalty of double the same adjudged to be recovered by the former Judgem^t of the Inferiour Court before the Chancellor or Sec-

Lib. L. L.
No. 1.

p. 34

p. 35