

above the Sum of Fifty Pounds Sterling in Money, whereof the Plaintiff is desirous of a speedy Recovery against the Defendant his Debtor, in the County Court, he shall proceed against such Defendant in Manner and Form following, *That is to say*, At the same Time that the Plaintiff sues out his Writ against the Defendant, he shall file with the County Clerk his Declaration thereon, and the Clerk shall make a Copy of the said Declaration, and deliver the same to the Sheriff with the Writ; and if the Sheriff can serve the said Writ upon the Defendant, and deliver to the Defendant the Copy of the Plaintiff's Declaration, Eight Days before the Return of the said Writ, then the Defendant shall be obliged by virtue of this Act, to go to Trial with the Plaintiff the same Court in which the Writ is returned, and shall not have any Imparance. And the Justices of the several and respective County Courts are impowered, by this Act, to give Judgment against the Defendant, in case of his Refusal to plead or answer, as they might do in case of a legal Trial had before them: Except in some very extraordinary Cases or Accidents, at the Discretion of the said Justices.

C H A P.  
XLI.

How to bring  
on speedy  
Trial in the  
County  
Court.

Exception.

\* By 1763, *ch.* 20, §. 6, no County Court shall hold Plea of any Debt or Damage, which shall not exceed 600<sup>lb</sup> Tobacco, or 50 Shillings Current Money.

IV. And be it further Enacted, *by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That in all Actions which shall at any Time after the End of this Session of Assembly, be sued or prosecuted in the County Courts of this Province, wherein upon Trial it doth appear to the Court, that the just Balance doth not exceed Four Hundred Pounds of Tobacco, or Thirty-three Shillings and Four-pence in Money, the Plaintiff shall be Non-suited.

What Balance in the  
County  
Court shall  
Non-suit the  
Plaintiff.  
*See the Note on*  
§. 3.

V. And be it further Enacted, *by the Authority aforesaid*, That in all Actions which shall, at any Time after the End of this present Session of Assembly, be sued or prosecuted in the Provincial Court of this Province, and upon Trial it doth appear to the Court that the just Balance of the Debt, or Thing in demand, is under Fifteen Hundred Pounds of Tobacco, or Six Pounds Five Shillings in Money, the Plaintiff shall be Non-suited.

In the Pro-  
vincial Court  
what Balance  
shall Non-suit  
the Plaintiff.

VI. Provided nevertheless, That nothing in this Act contained, shall be construed to give the said Provincial Court any other Jurisdiction, than what is agreeable to the Act of Assembly, *for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law*: Any Thing herein contained to the contrary notwithstanding.

Provincial  
Court to have  
no other Ju-  
risdiction,  
than by 1714,  
*ch.* 4.

VII. And be it Enacted, *by the Authority aforesaid*, That his Majesty's High Court of Chancery within this Province, shall not hear, try, determine or give Relief in any Cause, Matter or Thing, wherein the original Debt or Damages doth not amount to Twelve Hundred and One Pounds of Tobacco, or Five Pounds and One Penny in Money.

For what ori-  
ginal Debts,  
Suits may be  
brought in  
Chancery.

VIII. And be it Enacted, *by the Authority aforesaid*, That when any Person or Persons, against whom any Judgment or Non-suit shall be given in any County Court of this Province, shall fly, remove, or absent him or themselves out of the County, and Jurisdiction of that Court where such Judgment or Judgments shall be given; that then, and in every such Case, the Plaintiff or Plaintiffs in every such Judgment or Judgments, for the more easy obtaining the Fruit and Effect of such Judgment, whether the same be for Costs of Non-suit or otherwise, shall or may take the Transcript of the Record of such Judgment, under the Seal of the Court where such Judgment shall be obtained, and lay the same before the Justices of the County Court where the said Defendant or Defendants shall happen to be: Which Transcript shall be entered upon the Record of such County Court; and the Justices of such County Court shall, by virtue of this Act, award Execution against the Person or Persons against whom such Judgment shall be rendered; by *Capias ad*

Record of  
Judgment,  
&c. may be  
transmitted  
under Seal  
from one  
County  
Court to ano-  
ther; and Ex-  
ecution issued  
thereon,  
without *Scire*  
*facias*, against  
Persons fly-  
ing, &c. out  
of the County.