

or discontinue his Suit, shall be amerced Fifty Pounds of Tobacco, and every Defendant in the same Court, not being an Executor, Administrator, or Minor, that shall be cast, if he imparles, shall be amerced Fifty Pounds of Tobacco; to be applied as the Governor and Council shall direct; and that every Plaintiff in the County Court, (not being an Executor, Administrator, or Minor,) that shall be cast in any Cause, or shall discontinue the same, shall be amerced Thirty Pounds of Tobacco; and that every Defendant, not being an Executor, Administrator, or Minor, that shall be cast, if he imparles, shall be amerced Thirty Pounds of Tobacco; to be applied to the defraying the County Charge; all which Amercements to be levied by the Sheriffs, by way of Execution, in the same Manner as the Public and County Levies are.

Bacon

II. Provided, That no Defendant shall be liable to any Amercement against whom Judgment shall be rendered the first Court.

III. And be it further Enacted, That one Clause of an Act, entitled, An Act for the better Administration of Justice in the High Court of Appeals, Chancery Provincial and County Courts of this Province; for the more speedy Recovery of Debts, easy obtaining of Executions against Persons absenting from the Counties where the Judgments were recovered against them; for preventing Commissioners, Sheriffs, Sub-Sheriffs, and Deputy-Clerks, to plead as Attorneys in the respective Courts to which they belong; and for Amercements in the Provincial and County Courts, that relates to Amercements, and the Application of them, shall be, and is hereby repealed.

IV. And be it likewise Enacted, That it shall and may be lawful to and for the several and respective Justices of the County Courts within this Province, at their Discretion, where it shall appear to them that any Plaintiff or Defendant in any Action hereafter to be brought in any of the said Courts, shall suffer by the Negligence or Omission of the Attorney or Attorneys, to immediately adjudge such Attorney or Attorneys to pay the lawful Costs accruing from such Plaintiff or Defendant through such Negligence or Omission, not exceeding Four Hundred Pounds of Tobacco; but if the Cost shall surmount that Sum, then in every such Case, the Plaintiff or Defendant shall be left to their Remedy at Common Law. And that every Attorney practising in any County Court whereof he is not an Inhabitant, shall be under the same Circumstances as to any Recovery to be had against him, as though he was actually an Inhabitant of that County.