

And be it Enacted by the Authority aforesaid, That in all Actions hereafter to be commenced in the Provincial Court, for the Recovery of any certain Sum of Money, or Quantity of Tobacco, within the Jurisdiction of that Court where the Plaintiff is desirous of a speedy Tryal, That if the Plaintiff shall send a Copy of the Declaration in the Case, with the Writ, and cause the same to be sued on, or delivered to the Defendant, or left at his or her Place of Abode, Twenty Days at the least, before the Appearance-Court, it shall and may be lawful for the Justices of the said Court, and they are by this Act required, to proceed to Tryal the same Court; and if the Defendant shall refuse or neglect to answer or plead, to render Judgment for the Plaintiff with Cost of Suit, unless sufficient Cause be shewn by the Defendant, why there should be an Imparlance.

Session
Laws
Justices are
to proceed
to Tryal,
on the
Plaintiff's
sending a
Copy of the
Declaration
20 Days
before Ap-
pearance-
Court.

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And whereas, several Judgments have been rendered in the County-Courts, according to the strict Rules of Law, and against Equity, for small Sums, that the Chancery-Court could not have any Cognizance of, to the great Loss and Prejudice of several of the poorer Sort of People, and Ruin of some; for Remedy whereof,
Be it Enacted by the Authority aforesaid, That in all Actions in the County-Courts, where the Matter or Thing in Dispute is not of sufficient Value to remove the same into Chancery, the Justices of the County-Court, where such Action shall be brought, may and shall (at the Prayer of either Plaintiff or Defendant, either before or after Judgment, or Verdict of a Jury, at Common Law) hear and determine the same, according to the Rules of Equity and good Conscience, as fully and amply as the Chancellor, or Keeper of the Great Seal might do in any Case within the Jurisdiction of the Chancery-Court; any Law, Usage, Verdict of a Jury, or Custom, to the Contrary notwithstanding.

Actions to
be deter-
mined by
the Justice
of County-
Courts,
according
to Equity;
the Thing
in Dispute
not being of
sufficient
Value to
move 'em
into
Chancery.

And be it Enacted, That where any Person or Persons is or are bound in any Bond, or other Obligation, for the Payment of Money, Tobacco, or other Goods, or indorse any Bill of Exchange that shall be protested, and the Money, Tobacco, or other Goods, or such Part thereof as shall be unpaid by the principal Debtor, shall be paid or tender'd by the Surety or Indorser, that the Obligee or Indorsee shall be obliged to assign such Bond, Obligation, or protested Bill, to the Surety paying or tendering the Money, Tobacco, or other Goods, due as aforesaid; and that the Assignee shall and may by Virtue of such Assignment and this Act, have an Action in his or her own Name, against the principal Debtor; any Law, Usage, or Custom, to the contrary notwithstanding.

The
Obligee, or
Indorsee, to
assign the
Obligation
to the
Surety, on
tendering
the Sum
sued for, &c.

And be it Enacted, That where any Person shall recover Judgment against the principal Debtor and Surety, and such Judgment shall be satisfied by the Sureties, that the Creditor shall be obliged to assign such Judgment to the Surety satisfying the same, and that the Assignee shall be entituled unto, and have the same Execution against the principal Debtor, by Virtue of such Assignment and this Act, as