

as are usually taken Advantage of by Special Demurrers; and also for aiding such Defects in the Entries of Clerks, as are frequently taken Advantage of, on the Prosecuting Writs of Error or Appeals, as well as divers other Advantages of other Defects, or pretended Defects or Errors, which only serve to prevent or divert the Examination of, and giving Judgment on the very Right of the Cause: For Remedy whereof,

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Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Actions to be commenced after the End of this Session of Assembly, the Justices of the several Courts of Law within this Province, shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear to them, without regarding any such Omission, Defects, Advantages, or Pre-ferences as aforesaid, so as sufficient Matter shall appear in the Proceedings, upon which the Court may proceed to give Judgment according to the very Right of the Cause and Matter in Law, and that it shall appear that the Action shall be commenced after the Cause thereof shall accrue; and that no such Judgment shall be reversed or set aside, or Execution thereon delayed, for or by Reason of any such Imperfection, Omission, or Defect; any Law, Usage, or Custom; to the contrary notwithstanding.

[Judgment to be given according to the Right of the Cause, without Regard to Defects in the Action.]

Provided always, and be it Enacted, by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to any Writ, Declaration, or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Treason, Felony, or Murder, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action, or Information, upon any Penal Statute.

[This Act not to extend to Treason, Felony, or Murder.]

And be it further Enacted. That in all Actions in the County Courts, where the Matter or Thing in Dispute shall not exceed the Sum of Twenty Pounds Sterling Money, or Five Thousand Pounds of Tobacco, 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 for 20l. Sterling or 5000 lbs of Tobacco, may be chanceryed in the County Courts.]

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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 tendered by the Surety or Indorser, that the Obligee or Indorsee shall be obliged to assign such Bond, Obligation, or protested Bill, to the

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