

Lib. L. L. sent aforesaid that if any Defendant upon Tryall Can prove either by such Certificate as aforesaid or other Sufficient Prooff that there is any Summe of Tobbacco or money paid to the Plaintiffe or his Order in Part of the said Debt or Acc^t Sued for the Court before whom Such Tryall is had may Cause the Same to be discounted in Court and give Judgment thereupon against the Defendant for Soe much onely as shall be remaining to the Plaintiffe which Cost of Suite Provided the Ballance Exceeds Two hundred pounds of Tobbacco or
 p. 291 Sixteen Shillings and Eight Pence in the County Courts and fifteen hundred pounds of Tobbacco or Six pounds five shillings sterl in the Provinciall Court otherwise the Plaintiffe shall be Non suited as by other Law is Provided.

An Act for Encouragement of Such persons as will undertake to build Water Mills &c.

Daily Experience Sheweth that the Want of Water Mills is true Cause that husbandry in tilling the Ground and for Sowing of Wheat and barley is but Coldly prosecuted though the Advantage thereby in raising the Stock of Neat Cattle be great And for as much as for the most part the Places fitt for Setting up of Water Mills are allready in the hands of persons under age or unable to be att the Charge of building a Water Mill or elce Such as are Wilfully Obstinate in forbidding and hindering such Persons as would Purchase the Said places fitt for building Water Mills and Sett them up to the increase of our Trade and Navigacōn much to the Publick Damage of the Province

Be it enacted by the Kings most Excellent Ma^{ty} by and with the Advice and Consent of this Present Generall Assembly and the Authority of the Same That if any person or persons from and after the publication hereof that shall desire to sett up a Water Mill upon any Land next adjoining to any Run of Water within this Province not being the proper Possession or ffreeholds of such person or persons nor Leased to them to the Intent thereon to Sett a Water Mill they shall Purchase a Writt out of his Matys Court of Chancery Directed to the Sher-
 p. 292 riffe of the County where Such Land lyeth requireing him by the Oath of Twelve men of his County to Enquire what Damage it would be to his Maty or other to have a Mill Sett up in Such a place as aforesaid the forme of which Writt followeth (Viz) William by the Grace of God of England Scotland France and Ireland King defender of the ffaith &c. To the Sherriffe of A: County Greeting we Comānd