

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 Omissions Defects Advantages or Pretences as aforesaid so as sufficient Matters 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 a side or Execution thereon delayed for or by reason of any such Imperfection Omission or Defect any law Usage or Custom to the Contrary Notwithstanding

Liber H. S.
No. 1

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

[But shall not extend to prosecutions for Treason, Felony &c]

And be it further 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 Writt and Cause the same to be served 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 lawfull for the Justices of the said Court and they are by this Act required to Oblige the Defendant by Rule of Court to Proceed to Tryal the same Court and if the Defendant shall Neglect or refuse to Answer or Plead to render Judgment for the Plaintiff with Costs of Suit unless sufficient Cause be Shewn by the Defendant why there should be an Imparlanace

[Plaintiffs requiring speedy Trial, to send Copy of Declaration, &c.]
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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

[County Courts Power to determine according to Equity in actions not exceeding 20 l. sterling, or 5000 lb of Tobacco.]

Provided always that nothing in this Act contained shall extend or be construed to extend so as to limit Abridge or restrain the Jurisdiction of the High Court of Chancery of this Province in any manner or respect Whatsoever but that the said Court shall

[Exception as to the jurisdiction of the Court of Chancery]