

occasioned by demurrers, arresting and reversing of judgments, and staying executions by writs of error and appeal, there being yet no sufficient provision made for the aiding such omissions, errors and imperfections, 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,

Court shall
give judgment,
&c.

SEC. 2. *Be it enacted, by the right honorable 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 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 pretences 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.

Proviso.

SEC. 3. *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.

SEC. 4. Repealed by 1801, ch. 13.

Power of
county
courts, &c.

SEC. 5. *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.