

See 1814, ch. 94, clothing the county court with original equity jurisdiction, and see 1791, ch. 78; 1815, ch. 163.

SEC. 6. *Provided always*, That nothing in this act contained Proviso. 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 have the same power, authority and jurisdiction, in all and every case, as belonged to and was exercised by the said court before the making this act, any thing herein contained notwithstanding.

SEC. 7. *And be it enacted*, That where any person or persons Bonds, &c. to be assigned, &c. is or are bound in any bond, or other obligation, for the payment of money, tobacco or other goods, or endorse 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 endorser, that the obligee or endorsee 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.

SEC. 8. *And be it enacted*, That where any person or persons Judgments shall be assigned, &c. hath recovered, or shall recover, any judgment against the principal debtor and surety, and such judgment hath been or shall be satisfied by sureties, that the creditor shall be obliged to assign such judgment to the surety satisfying the same, and that the assignee shall be entitled unto and have in his own name, as assignee, the same execution against the principal debtor, by virtue of such assignment and this act, as the creditor might or ought to have had, the said assignment being first recorded in the same court wherein the judgment shall have been rendered or obtained; and that where any judgment hath been or shall be rendered against several sureties, and one of them hath satisfied or shall satisfy the whole, the plaintiff or creditors shall be obliged to assign such judgment to the surety satisfying the same, and that the assignee shall have and be entitled to an execution against the other sureties against whom judgment hath been or shall be obtained by the principal creditor, for a proportionable part of the debt or damage paid by such assignee, any law, usage or custom, to the contrary notwithstanding; provided always, that no defendant or defendants shall be precluded or debarred of his or their remedy against the plaintiff by *audita querela*, or other equitable course or proceeding whatsoever, any thing in this act to the contrary notwithstanding.