

- before him, or any other justice of the county at a certain place to be appointed, to answer such warrant—1791, ch. 68, sec. 2, . . . 277
- Such defendant if the justice shall award it necessary shall give security in the nature of bail, for his appearance at the said time and place, and for paying the judgment thereon or surrendering his person to prison in satisfaction thereof, and the justice on default of such security may commit the defendant to the constable to be delivered over to the sheriff—1791, ch. 68, sec. 2, . . . 278
- If the defendant does not appear at the time and place appointed, judgment may be rendered against him on such default or on an *ex parte* hearing—1791, ch. 68, sec. 2, . . . 278
- If after judgment against the principal debtor, he does not pay the same, or render himself on execution (returnable in forty days from the issuing) a warrant may be issued and recovery and execution had against the bail as against the principal debtor—1791, ch. 68, sec. 2, 278
- Such bail entitled to the same defence as in courts and to the liberty of delivering up the debtor on return of the warrant, by paying the costs thereof—1791, ch. 68, sec. 2, . . . 277
- The constable shall give notice to the plaintiff or his agent if in the same hundred, of the time and place where he intends to carry the defendant before a justice—1791, ch. 68, sec. 3, . . . 278
- If neither attend at that time or at a future time appointed, the justice may hear and determine the matter *ex parte*—1791, ch. 68, sec. 3, 278
- Where the debt, &c. exceeds 20s. or 100 lbs. of tobacco, either party may appeal from the judgment to the next county court, who may, on the petition of the appellant, in a summary way hear the allegations and proofs and determine according to the law of the land, and the equity and right of the matter—1791, ch. 68, sec. 4,* 279
- Such determination to be made the first court, unless it shall appear that further time ought to be given—1791, ch. 68, sec. 4, . . . 279
- Either party may demand a trial by jury, or leave the matter to be determined by the court—1791, ch. 68, sec. 4, . . . 279
- The courts to proceed to hear appeals from the decision of a justice where the appellee shall not appear on two summonses, or one attachment being returned *non est*—1818, ch. 166, . . . 694
- Appeals from magistrates' judgments to be made within sixty days—1829, ch. 236, sec. 1, p. 996; 1831, ch. 290, . . . 1045
- In case of appeals from the judgments of magistrates, the judges of the county court to decide according to the right of the cause and the law of the land, without regarding any defect in the proceedings before the magistrate—1823, ch. 172, . . . 797
- No execution shall be stayed on such appeal, unless the person or some one on his behalf, shall enter into bond with sufficient securities, to be approved by the justices giving the judgment, in double the sum recovered, with condition in the form prescribed by this act—1791, ch. 68, sec 5, . . . 279

* Appeals by 1829, ch. 236, and 1831, ch. 290, to be made within sixty days.