

II. And for as much as for want of a sufficient Provision by Law for the Payment of Costs of Suit, divers evil disposed Persons are encouraged to bring frivolous and vexatious Actions, and others to neglect the due payment of their Debts: Be it further enacted by the Authority aforesaid, That if at any time from and after the said Five and twentieth Day of *March*, any Person or Persons shall commence or prosecute in any Court of Record, any Action, Complaint, or Suit, wherein upon any Demurrer, either by Plaintiff or Defendant, Demandant or Tenant, Judgment shall be given by the Court against such Plaintiff or Demandant, or if at any time after Judgment given for the Defendant in any such Action, Complaint, or Suit, the Plaintiff or Demandant shall sue any Writ or Writs of Error to annul the said Judgment, and the said Judgment shall be afterwards affirmed to be good, or the said Writ of Error shall be discontinued, or the Plaintiff shall be Nonsuit therein, the Defendant or Tenant, in every such Action, Complaint, Suit, or Writ of Error, shall have Judgment to recover his Costs against every such Plaintiff or Plaintiffs, Demandant or Demandants, and have Execution for the same by *Capias ad satisfaciendum*, *Fieri facias*, or *Elegit*.

VI. And be it further enacted, That in all Actions to be commenced in any Court of Record, from and after the said Five and twentieth Day of *March*, One thousand six hundred ninety and seven, if any Plaintiff happen to die after an Interlocutory Judgment, and before a final Judgment obtained therein, the said Action shall not abate by reason thereof, if such Action might be originally prosecuted or maintained by the Executors or Administrators of such Plaintiff; and if the Defendant die after such Interlocutory Judgment, and before final Judgment therein obtained, the said Action shall not abate, if such Action might be originally prosecuted or maintained against the Executors or Administrators of such Defendant; and the Plaintiff, or, if he be dead after such Interlocutory Judgment, his Executors, or Administrators, shall and may have a *Scire facias* against **604** *the Defendant, if living after such Interlocutory Judgment, or if he died after, then against his Executors or Administrators, to shew Cause why Damages in such Action should not be assessed and recovered by him or them; and if such Defendant, his Executors, or Administrators, shall appear at the Return of such Writ, and not shew or alledge any matter suffi-