

plaintiffs, his, her or their agent or attorney, to make out a true copy of any judgment, upon which copy, any justice of the peace of said county, may issue execution as is now provided by law, in case of the resignation, removal from office, or death of a justice of the peace; and it shall further be the duty of the said clerk, upon the application of the plaintiff or plaintiffs, his, her or their agent or attorney, to issue execution upon all judgments, directed to the sheriff of said county, and returnable to the next succeeding term of Kent county court, in like manner and by like process, as if the said judgment has been originally recorded in said county court.

CHAP. 59.
Justice of the peace may issue execution

Clerk to issue execution

SEC. 4. *And be it enacted*, That in all cases where writs of capias ad respondendum, attachment, capias ad satisfaciendum or fieri facias, issued by either of the said district courts, may be in the hands of the sheriff, or any constable of said county, and not returned, it shall be the duty of the said sheriff or constable, as the case may be, to return the same to the next succeeding term of Kent county court; and the clerk of said court, shall docket the same, and such proceedings shall be had thereon, as if the said process had originally issued out of said county court.

Writs to be returned to county court.

Clerk to docket

SEC. 5. *Be it enacted*, That from and after the passage of this act, all single justices of the peace in and for Kent county, shall have jurisdiction over and may take cognizance of all cases, and in like manner, as they now have jurisdiction, where the debt or damages laid or claimed, do not exceed the sum of one hundred dollars, exclusive of costs and interest; and that in all cases heard, adjudged and determined, before any single justice of the peace, when the debt or damages adjudged and determined to be due, exceed the sum of fifty dollars, they are hereby authorized and empowered to charge double the fees now allowed by law to single justices of the peace in like causes; and that each party shall have and exercise the same right of appeal to the county court, and in the same manner as is now allowed from the judgment of single justices of the peace.

Single justice to have jurisdiction in all cases below 100 dollars.

Right of appeal

SEC. 6. *And be it enacted*, That they shall have jurisdiction over and take cognizance of all cases of replevin, where the value of the property in dispute, when appraised, on the service of the writ of replevin, as hereinafter provided, does not exceed the sum of one hundred dollars, in which action of replevin, the said single justice may, besides adjudging a return of the property, award damages, as in a county court may be recovered in cases of replevin; *provided however*, that whenever a writ of replevin shall be demanded from any justice of the peace, according to the jurisdiction herein given to single justices of the peace, it shall be the duty of

Justices of the peace to have jurisdiction in cases of replevin

Proviso