

... legal trial in any Court in this Province...
... any person or persons shall sue and recover any
... contrary to this Act he shall loose all his costs of suit
... his debtor all such damages as shall accrue to
... his various and unjust that at Law.

Provided always that this Act, nor any thing herein contained shall be construed to extend to the benefit of any person debtor as aforesaid, either run away out of this Province, or willfully absconding himself within the same from his said creditor, but that he may be proceeded against as before this Law made, any thing in this Act to the contrary notwithstanding.

And Be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, that an account sworn to by the Plaintiff, or a Bill proved in evidence before any Justice of the Provincial Court, or any two Justices of the County Courts of this Province, shall be sufficient evidence to prove the debts in the Provincial or any county Courts within this Province. Provided always that the party who shall swear or give evidence as aforesaid to prove any debt as aforesaid, shall at the time declare upon his oath whether he knows of any payment or discount of any part or parcel of the account or debt so to be proved, which shall be certified under the hand or hands of such one Justice of the Provincial Court, or two Justices of the County Court before whom the account or debt shall be proved with certificate made and signed as aforesaid, shall be taken and received as sufficient proof of any such debt or account as aforesaid.

And Be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, that if any defendant upon trial can prove either by such certificate as aforesaid or other sufficient proof that there is any sum of tobacco or money paid to the plaintiff or his order in part of the debt sued for, the Court before whom such trial is had may cause the same to be discounted in Court and give Judgment thereupon against the defendant for so much only as shall be remaining to the plaintiff with cost of suit, provided the ballance exceeds two hundred pounds of tobacco or sixteen shillings and eight pence in the County Courts, and fifteen hundred pounds of tobacco or six pounds five shillings Sterling in the Provincial Court, otherwise the plaintiff shall be nonsuited as by other Laws are provided.

C. 40. 1699-

An Act for Improvement of such persons as will undertake to build Watermills.

DAILY Experience sheweth that the want of Water-mills is the true cause that Husbandry in tilling the Ground and for sowing of Wheat and Barly is but coldly prosecuted, tho' the advantage thereby in raising the Stock of neat cattle be great; And forasmuch as for the most part the places fit for setting up of Water-mills are already in the hands of persons under age, or unable to be at the charge of building a Water-mill, or else such as are willfully obstinate in forbidding and hindring such persons as would purchase the said places fit for building Water-mills and set them up, to the increase of our trade and navigation, much to the publick damage of the Province.

B E I T E N A C T E D by the Kings most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that if any person or persons from and after the publication hereof, shall desire to set up a Water-mill upon any Land next adjoining to any Run of water within this Province, not being the proper possession or freeholds of such person or persons, nor leased to them to the intent thereon to set a Water-mill, they shall purchase a Writt out of his Majestys Court of Chancery directed to the Sheriff of the County where such Land lieth, requiring him by the oaths of twelve Men of his County to inquire what damage it would be to his Majesty or others to have a Mill set up in such a place as aforesaid, the form of which Writt followeth. viz.

William by the Grace of God of England Scotland France and Ireland King Defender of the Faith &c. To the Sheriff ----- County greeting, We command you that by the Oath of twelve honest and lawful Men of the County by whom