

to the publick Treasurer of the Eastern Shoar, and the publick Treasurer of the Eastern Shoar shall account to the General Assembly of this Province in manner & form as is menti, n'd in the aforesaid Act intituled *an Act imposing three pence per gallon on Rum & Wine and twenty Shillings per Poll for Negroes for raising a supply to defray the publick charge of this Province, and twenty Shillings per Poll for Irish Servants to prevent the importing too great a number of Irish Papists into this Province.*

And lastly, Be it Enacted that the said Naval Officer shall make Oath before his Excellency the Governour or whom the Governour shall impower to administer such Oath that the said Naval Officer shall use his utmost power & diligence to cause this Act effectually to be put in Execution and a certificate of such Oath taken shall be entered upon the Council Book.

*An Act for the better administration of Justice in the high Court of Chancery Provincial & County Courts speedy recovery of debts directing how small debts shall be recovered, and for the more easy obtaining of Execution against persons absenting from the Countys where the Judgments were obtained against them.*

**B**E it Enacted by the Queens most Excellent Majesty by & with the Advice and Content of her Majestys Governour Council & Assembly of this Province & the Authority of the same, that the Justices of the severall & respective County Courts do with all convenient speed after the publicatino of this Act at the cost & charges of their respective Countys purchase & procure the Statute Books of *England* to this time and *Dartous* Justice of the Peace where they are not already procured for the use of their respective County Courts.

Be it Enacted by the Authority aforesaid that the Justices of each respective County Court by force & vertue of this Act may make such rules & orders from time to time for the well governing & regulating their said Courts & the Officers & suitors thereof as to them in their discretion shall seem meet, and under such Fines and forfeitures as they shall think fit not exceeding one hundred pounds of tobacco for any one offence, all which fines shall be to her Majesty towards the defraying County charges.

And be it further Enacted by the Authority aforesaid, that every debt or debts of Mony or Tobacco due to any person being above the sum of two hundred & not above the sum of ten thousand pounds of Tobacco, and being above the sum of sixteen shillings & eight pence and not above the sum of fifty pounds Sterling in Mony whereof the plaintiff is desirous of a speedy recovery against the defendant his debtor in the County Court he shall proceed against such defendant in manner and form following (that is to say) at the same time that the Plaintiff sues out his Writt against the Defendant he shall file with the County Clerk his declaration thereon and the Clerk shall make a copy of the said declaration & deliver the same to the Sherif with the Writt, & if the Sherif can serve the said Writt upon the defendant & deliver to the defendant the copy of the plaintiffs declaration eight days before the return of the said Writt, then the defendant shall be obliged by vertue of this Act to go to tryal with the plaintiff the same Court in which the Writt is return'd and shall not have any imparlance, and the Justices of the respective County Courts are impower'd by this Act to give Judgment against the defendant in case of his refusal to plead or answer as they might do in case of a legal tryal had before them, except in some very extraordinary cases or accidents at the discretion of the said Justices.

And Be it further Enacted by the Authority aforesaid, that no County Court within this Province shall hold plea or have jurisdiction for the hearing and determining of any Action or Actions whatsoever wherein the real debt or damages do not exceed two hundred pounds of tobacco or sixteen shillings & eight pence in mony, but that in all such cases it shall & may be lawful for any one Justice of Peace of each respective County wherein the debtor doth reside to trye hear & determin' the matter of controversy between the creditor & the debtor and upon full hearing of the allegations of both partys shall give judgment accordingly, and if need be shall award Execution by *fiere facias* or *capias ad satisfaciendum* directing the same to the Sherif of the County wherein the debtor shall be resident, and such Sherif is required by this Act to execute such Writt *ex officio* saving always to such Sherif fees for imprisonment.

And be it further Enacted by the Authority aforesaid by & with the Advice & Consent aforesaid, that in all Actions which shall at any time after the end of this Sessions of Assembly be sued or prosecuted in the County Courts of this Province wherein upon Tryal it doth appear to the Court that the just ballance doth not exceed two hundred pounds of tobacco or sixteen shillings & eight pence in mony the plaintiff shall be nonsuited.

And be it further Enacted by the Authority aforesaid, that in all Actions which shall at any time after the end of this Sessions of Assembly be sued or prosecuted in the Provincial

*Justices County Courts to make rules for government of their Courts.*

*Breaks of rules fined not exceeding 100<sup>l</sup> 10<sup>s</sup>.*

*Speedy recovery of debts above 200<sup>l</sup> and not above 10000<sup>l</sup> 10<sup>s</sup> above 16<sup>s</sup> 8<sup>d</sup> and not above 50<sup>l</sup> 10<sup>s</sup>.*

*Writ. Copy of decl to be delivered to the deft 8 days before tryal, tryal without imparlance except in some Cases.*

*County Court no jurisdiction where debt does not exceed 200<sup>l</sup> 10<sup>s</sup> or 16<sup>s</sup> 8<sup>d</sup> Justice to hear and determine award execution.*