

SMALL DEBTS.

Liberty of delivering up the principal Debtor on Return of the Warrant, and Payment of Costs thereon. *Ibid.* §. 3.

3. The Constable shall give Notice to the Plaintiff or his Agent; if either of them reside in the Hundred, of the Time and Place where he intends to carry the Defendant before a Justice; and if neither the Plaintiff, having Notice as aforesaid, nor his Agent, nor the Plaintiff or any one for him when such Plaintiff lives out of the Hundred, with or without Notice, shall appear on the Return of the Warrant; or at the future Day and Place appointed by the Justice, such Justice may hear and determine the Controversy *ex Parte.* *Ibid.* §. 4.

4. *Superjedas* may be taken on such Judgment by the same, or any other, Justice of the County, in the same Manner as Two Justices are directed to take the same of any Judgments or Executions thereon rendered in County Courts of Law. *Ibid.* §. 5.

5. County Courts shall not hold Plea of Debt or Damage which shall not exceed 600^l Tobacco, or 50^s. Currency. *Ibid.* §. 6.

6. The Act of 1715, *ch.* 12, Repealed. *Ibid.* §. 7.

7. Either Party may Appeal from the Determination of a Magistrate, where the Sum shall exceed 33^s. 4^d. or 400^l Tobacco, to the next County Court, which Court shall, on Petition of the Appellant, hear the Allegations and Proofs of both Parties in a summary Way, and determine thereon according to Equity, &c. the same Court, without farther Delay: Unless it shall appear to the Court, that farther Time ought to be given the Party applying, to enable the Court to determine according to Equity and Right of the Cause. *Ibid.* §. 8.

8. But no Execution upon Judgment of such Magistrate shall be Stayed, &c. on Appeal, unless the Appellant shall immediately enter into Bond, with Sureties to be approved of by such Magistrate, in double the Sum recovered, with Condition, to prosecute the same with Effect according to the Directions of this Act, and also to pay the Party, &c. in case the Judgment shall be affirmed, together with all Costs, &c. which shall be awarded by the Court. *Ibid.* §. 9.

See *Constables*, 11.

SMALL PROVINCIAL CHARGES.

1. For preventing the Charge of annual Assemblies, the Governor and Council are empowered, during the Intervals of Assemblies, to assess the small Charges of the Province, in the Time of Peace, by Way of equal Public Levy upon all the Inhabitants. 1715, *ch.* 43, §. 17.

2. Provided the Sums so assessed do not exceed 50,000^l Tobacco in any one Year. And the Disbursement of the same to be accounted for at the next General Assembly. *Ibid.* §. 18.

SOLDIERS. See *Militia*.

SPEAKER OF THE LOWER HOUSE. See *Delegates*, 8. *Letters Public*, 3.

SPECIAL BAIL.

1. Special Bail to Provincial Writs may be given, before the Return of such Writ, in the County where the Defendant is Arrested, before one Provincial Justice, or before the President or any Two Justices of the County Court, with two sufficient Freeholders; such as the said Justice or Justices shall approve of. Which Bail shall be delivered to the Sheriff, and by him be returned with the Writ to the Provincial Court. 1715, *ch.* 28, §. 2.

2. If Special Bail be ruled by the Provincial Court, on Request of the Plaintiff's Attorney at calling over the Appearance Docket, the Party against whom the Rule is given, if present, shall give Special Bail in open Court; or else be remanded in Custody of the Sheriff who arrested him, and so remain till he procure Special Bail. *Ibid.* §. 3.

SPECIAL BAIL.

3. The Recognizance of Special Bail so taken (*see the Form in the Act at large*) shall be transmitted to the Provincial Court, together with a Warrant of Attorney directed to some Attorney of that Court, empowering him to enter an Appearance for the Defendant. *Ibid.* §. 4.

4. The Officers shall have the same Fees, and the Recognizance the same Effect, as if taken in Court. *Ibid.*

5. The Justices taking such Bail shall receive Five Shillings, and no more. *Ibid.*

6. The Provincial Justices shall make such Rules for justifying such Bail, as they think meet, so as not to compel personal Appearance of the Cognizors. *Ibid.* §. 5.

7. The Justices who take Special Bail, may examine the Sureties upon Oath, for their better Satisfaction. *Ibid.* §. 6.

8. One or more County Justices may take Special Bail on Actions brought in the County Court; according to the same Rules, and the Fee to such Justice, shall be 2^s. 6^d. and no more. *Ibid.* §. 7.

9. County Courts are vested with the like Power of receiving such Bail, as the Provincial Court, and shall act therein by the same Rules. *Ibid.*

10. In Actions of Trover and Conversion, and of Detinue, the Justices of the Court (on Affidavit of the Plaintiff, or other Evidences to their Satisfaction) may award Special Bail against the Defendant: And, for Default of such Bail, may commit him till he put in such Bail as is usual in other Cases. 1753, *ch.* 17.

See *Appearance*, 1. *Small Debts*, 2. *Witnesses*, 5.

SPECIAL RECORDS of Anne-Arundel County.

The Five Books of Records of the Commissioners, appointed by the Act of 1705, *ch.* 1, and the several Judgments, Deeds, and Proceedings in them entered, shall be good and effectual in Law, to all Intents and Purposes, as Records, notwithstanding they are not Signed by Three or more of the Commissioners, according to the Original Act: 1751, *ch.* 15.

SPECIALTIES.

1. All Bills, Bonds, or other Specialties; taken by any Practitioners of the Law, or County Clerk, shall be endorsed for what or how it became due; or, in Default of such Endorsement, shall be void. 1715, *ch.* 48, §. 9.

2. No Bill, Bond, Judgment, Recognizance, Statute Merchant, or of the Staple, or other Specialty (except to the Use of his Majesty, his Heirs and Successors) shall be good and pleadable after the principal Debtor and Creditor have both been Dead Twelve Years; or the Debt or Thing in Action above Twelve Years standing. Saving to Persons under the Impediments of Infancy, Coverture, Insanity of Mind, Imprisonment, or being beyond Sea, the full Benefit of all such Bills, &c. for Five Years after such Impediment removed. 1715, *ch.* 23, §. 6.

See *Attorneys*, 8. *Bills of Exchange*, 4. *Limitation of Actions*, 6.

SPEEDY RECOVERY.

The Plaintiff desiring speedy Recovery in the County Court of any Debt, being above 400 and not exceed 10,000^l Tobacco, or above 33^s. and 4^d. and not above 50^l. Sterling, shall, on suing out his Writ, file his Declaration with the County Clerk, who shall deliver a Copy thereof with the Writ to the Sheriff, to be served on the Defendant: Which if done Eight Days before the Return of the Writ, the Defendant shall be obliged to go to Trial, the same Court, without any Imparance. And in Case of the Defendants refusing to plead, the Court may give Judgment against him; except in extraordinary Cases, at the Discretion of the Justices. 1715, *ch.* 41, §. 3.

See *Advancement of Justice*, 3. *Small Debts*, per Tot.