

*Sterling or Five Thousand Pounds of Tobacco* remains due, so that the Plaintiff putting such Bill, Bond or other Specialty in Suit in the Provincial Court, must, by Virtue of this Act, be Non-Suit, and the Justices of the County-Court, by their Commission, not able to hold Cognizance of the same, by means whereof the Party having Occasion to put such Bill, Bond or other Specialty in Suit, was heretofore without Remedy for prevention whereof; for the Future, and that there may not be a Failure of Justice in such Case,

To hold Plea of Sums exceeding 100 l. Sterl. or 3000ol. of Tobacco.

*Be it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of her Majesty's Governour, Council and Assembly of this Province, and the Authority of the same,* That every Person or Persons, Inhabitants of this Province, shall and may hereafter Sue and Implead in any County-Court of this Province, where the Debtors reside, any Person or Persons, Inhabitants as aforesaid, their Debtors, on any Bill, Bond or other Specialty, the Principal or Penal Sum whereof exceeds *One Hundred Pounds Sterling, or Thirty Thousand Pounds of Tobacco*, and on which Bill, Bond or other Specialty there is not due to Ballance above *Twenty Pounds, or Five Thousand Pounds of Tobacco*, but shall be above the Sum of *Two Hundred Pounds of Tobacco, or Sixteen Shillings and Eight Pence* currant Money, and the several Justices of the County Courts are hereby Empowered to hold Cognizance of such Suit brought on such Bill, Bond or other Specialty, and give Judgment for the just Ballance, with Costs of Suit, their Commission, any Law, Usage or Custom to the Contrary notwithstanding.

Tho' several Endorsers sued on one protested Bill, only one Attorney's Fee to be paid.

*And be it further Enacted by the Authority, Advice and Consent aforesaid,* That from and after the end of this present Session of Assembly, if any Drawer or Endorser of any Bill of Exchange shall be sued or prosecuted in any Court of this Province for any Sum of Money due upon any protested Bill of Exchange, the Attorneys prosecuting or defending any Action thereupon shall not Exact, demand, receive or take any more than one Lawful Fee for prosecuting or defending any Action upon one Protested Bill, notwithstanding there be two or more Endorsers, and the said Drawer sued and prosecuted, and that it shall and may be lawful for the Plaintiff in any Action to be brought on any protested Bill, to put into any one Writt, two or more Defendants residing in one County, if Occasion shall require, and shall not pay the same any other Fee than for one Writt, and shall and may, at his Election, declare against such Defendants in one or more Declarations, as he shall think fit, any Law, Statute, Usage or Custom to the contrary notwithstanding.

Two or more Defendants may be sued in one Writt.

Special Bail how to be taken without appearance at the Provincial Court in person.

*And be it further Enacted by the Authority, Advice and Consent aforesaid,* That it shall and may be lawful to and for the Defendant in any Writt issued, or to be issued out of the Provincial Court, after Arrest and Bail given to the Sheriff for his appearance, and before the Return of such Writt to go before the President or any two Justices of the County-Court where such Defendant shall be Arrested, with two Sufficient Freeholders, such as the Justice or Justices before whom such Defendant shall go, shall approve of, and then and there give special Bail to any Action, by Virtue of such Writt, which Bail so taken shall be Delivered to the Sheriff, of such County where the same is taken, to be by him returned with such Writt to the Provincial Court; and the said Bail so taken and returned to the Provincial Court with such Writt, shall be as sufficient as if taken before the President of the County-Court after the Return of the Writt, and appearance entered according to the Directions of the Act of Assembly, for taking Special Bail.