

An Act for Relieving the Inhabitants of this Province from some Grievances in the Prosecution of Suits at Law. 32^o 51.

WHEREAS, during the late Long and Expensive War, Her Majesty's good Subjects of this Province have greatly suffered, and many of them have been utterly ruined, not only by Losses at Sea of their Tobacco (which is their only Staple Manufacture) being taken by the Enemies, but also by the European Markets being shut up by reason of the Export to France and Spain in great Measure prohibited, so that very many honest and industrious Planters, Her Majesty's Subjects here, by the very Charges of Necessary Clothing, and Tools for themselves and Families, are become vastly indebted, and no Prospect as yet appearing of any Means whereby they may extricate themselves out of their miserable and deplorable Circumstances, which are very much heightened and aggravated by their being sued and brought to Annapolis from the remotest Parts of this Province, to their manifest Oppression and Impoverishment, so that many of the good Inhabitants of this Province daily desert their Habitations, and remove themselves to Plantations and Colonies where they are far less serviceable to Her Sacred Majesty, and Her Revenue of Customs of Tobacco, which call for some speedy and proper Remedy to be applied thereto: Wherefore this present General Assembly humbly supplicate Her most Sacred Majesty, that it may be Enacted; And be it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of Her Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That from and after the End of this present Session of Assembly, all Persons whatsoever residing, negotiating or trading to or within this Province, having any Personal Claim of Demand against any the Inhabitants of this Province, wherein the Original Debt or Damages do not exceed the Value of Twenty Pounds Sterling, or Five thousand Pounds of Tobacco, shall, by Virtue of this Act, be obliged to sue and implead their several and respective Debtors in the several and respective County Courts, where such their Debtors inhabit and reside, and not elsewhere, on Penalty of suffering a Nonsuit, and paying the Defendant his reasonable Charges, to be adjudged by the Justices of any other Court wherein they shall be sued and impleaded; Any Law, Statute, Use, or Custom to the contrary notwithstanding.

AND be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That when any Debt or Damage is demanded by Virtue of any Bond or Writing Obligatory, the Penalty of such Bond shall not, although it exceed Twenty Pounds in Money, or Five thousand Pounds of Tobacco, entitle any Plaintiff to bring his Action in any Court but the County Court, unless the real Sum in the Condition of such Bond amounts to Twenty Pounds, or Five thousand Pounds of Tobacco; Any thing in this Act, or any other Statute, Law, Custom, or Usage to the contrary notwithstanding.

PROVIDED always, That nothing in this Act shall extend, or be construed to extend, to debar or hinder any Person from bringing his Action in the Provincial or Superior Court on any Covenant, or any Bond for the Performance of Covenants, or for the Performance or Sufferance of any Act or Acts, Thing or Things whatsoever, altho' the real Damages, or Sum recovered, be less than Twenty Pounds Sterling, or Five thousand Pounds of Tobacco; and so as the Penalty of such Bond for the Performance of Covenants, or Performance or Sufferance of any other Matter or Thing whatsoever, exceed Twenty Pounds in Money, or Five thousand Pounds of Tobacco: But no Bond for Payment or Performance of any Bill of Exchange shall be prosecuted in any Court but the County Court, unless the Original or Principal Sum mentioned in such Bill of Exchange, and due on the same protested, shall amount to Twenty Pounds Sterling;