

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.

Proviso in
Action of
Covenants

Provided always, That nothing in this Act shall extend or be construed to extend to declare or hinder any Person from bringing his Action in the Provincial or Superior Court, or 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 mention'd in such Bill of Exchange, and due on the same protested, shall amount to Twenty Pounds Sterling: Any Thing in this Act, or any other Statute, Law, Use or Custom to the contrary, notwithstanding.

Not being
for Payment
of Bills of Ex-
change.

County-
Courts Juris-
diction en-
larged in
Case of Co-
VENANTS.

And whereas the Justices of the several County-Courts of this Province, by their Commission cannot hold Plea or Cognizance of any Sum above One Hundred Pounds Sterling, or Thirty Thousand Pounds of Tobacco, and that it often happens that several Persons, Inhabitants of this Province, have Occasion to sue their several Debtors, likewise Inhabitants as aforesaid, on Bills, Bonds or other Specialties; and that the penal or principal Sum for which such Bill, Bond or Specialty was past, does exceed One Hundred Pounds Sterling, or Thirty Thousand Pounds of Tobacco, on which Bill, Bond or other Specialty, a Sum under Twenty Pounds 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 30000 l.
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 balance 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 current 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.

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