

At the same Time that the Plaintiff sues out his Writ against the Defendant, he shall file with the County Clerk his Declaration thereon, and the Clerk shall make a Copy of the said Declaration, and deliver the same to the Sheriff with the Writ; and if the Sheriff can serve the said Writ upon the Defendant, and deliver to the Defendant the Copy of the Plaintiff's Declaration, Eight Days before the Return of the said Writ, then the Defendant shall be obliged by Virtue of this Act, to go to Tryal with the Plaintiff, the same Court in which the Writ is return'd, and shall not have any Emparlance; and the Justices of the several and respective County-courts are empowered 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, by and with the Advice and 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 Four Hundred Pounds of Tobacco, or Thirty Three Shillings and Four Pence in Money, the Plaintiff shall be Non-suited.

Exception:

Plaintiff suing in the County-court where the Ballance exceeds not 400 l. Tobacco, or 33 s. 4 d. to be non-suited.

And be it further Enacted, by the Authority aforesaid, That in all Actions which shall at any Time after the End of this present Sessions of Assembly, be sued or prosecuted in the Provincial Court of this Province, and upon Tryal it doth appear to the Court, that the just Ballance of the Debt, or Thing in Demand, is under Fifteen Hundred Pounds of Tobacco, or Six Pounds Five Shillings in Money, the Plaintiff shall be Non-suited.

In the Provincial-court, if it exceed not 1500 l. of Tobacco, or 6 l. 5 s.

Provided nevertheless, That nothing in this Act contained, shall be construed to give the said Provincial-Court any other Jurisdiction than what is agreeable to the Act of Assembly, For relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law: Any Thing herein contained to the contrary, notwithstanding.

Or be not agreeable to the Act of Aggrievances

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And be it Enacted, by the Authority aforesaid, That His Majesty's High Court of Chancery within this Province, shall not hear, try, determine or give Relief in any Cause, Matter or Thing, wherein the Original Debt or Damages do not amount to Twelve Hundred and One Pounds of Tobacco, or Five Pounds and One Penny in Money.

Chancery not to try less than 1201 l. Tobacco, or 5 l. 1 d. in Money.

And be it Enacted by the Authority aforesaid, That when any Person or Persons, against whom any Judgment or Non-Suit shall be given in any County-court of this Province, shall fly, remove or absent him or themselves out of the County or Jurisdiction of that Court where such Judgment or Judgments shall be given; that then and in every such Case, the Plaintiff or Plaintiffs, in every such Judgment or Judgments, for the more easy obtaining the Fruit and Effect of such Judgment, whether the same be for Costs of Non-Suit or otherwise, shall, or may take the Transcript of the Record of such Judgment, under the Seal of the Court where such Judgment shall be obtained, and lay the same before the Justices of the County-court where the said Defendant or Defendants shall happen to be; which Transcript shall be entred upon the Record of such County-court; and the Justices of such County-court, shall, by Virtue of this Act, award Execution against the Person or Persons against whom such Judgment shall be rendred, by *Capias ad satisfaciendum*, Fi-

Records may be transmitted, and Execution obtained thereon, against Persons removing.