

All Judgments or Decrees in the High Court of Appeals, Chancery or Commissioners, or of small Debts recovered before a Justice; the Person against whom such Judgment shall be obtained, may stay Execution. And that the Justices before whom Stay of Execution be made, shall cause the same to be recorded by the Clerks of the several Courts where such Judgments shall be contels'd. Clerks Fees for the same. How recovered.

cery, the Commissaries Court, nor of any small Debts before a Justice of the Peace, against any Person whatsoever, the Person against whom such Judgments or Decrees have been or shall hereafter be obtained, shall have the same Liberty and Advantage, in the same Manner and before the same Persons, of Staying such Executions, pursuant to the Directions of the aforementioned Act, in as full and ample manner to all Intents and Purposes, as if they had been particularly mentioned therein; and that the Justice or Justices before whom Judgment for the Stay of Execution shall be confest, shall make due Return of such Judgments to the Clerks or Registers of the Courts where such Judgments or Decrees were obtained, by them to be entered upon Record, and that the Judgments confest'd for Stay of Execution for small Debts recovered before a Justice of the Peace, the Justice before whom such Judgments is confest'd shall make Return thereof to the Clerk of the County Court, who is likewise to enter the same upon Record. For entering of such Superfedeas as aforesaid, the several Clerks and Registers shall receive the same Fees mentioned in the beforementioned Act; and that the several Clerks and Registers of the several Courts aforementioned, after the Tenth Day of November in any Year. may (on Application to them made and they are hereby impowered and required to) issue Execution as well against the *Principal as Sureties*, for the Recovery of the several Sums in such Superfedeas mentioned, in the same Manner as by the aforementioned Act is directed.

*An ACT to limit the Continuance of Actions in several Courts within this Province, and ascertaining the Manner of taking the Evidence of Sea-faring Men, and for granting Appeals from the Chancery Court to the Governour and Council.*

**WHEREAS** it is represented as an Aggrievance, the dilatory Proceeding and Continuance of Actions in several of the Courts of this Province: For Remedy whereof for the Future,

All Actions commenced, in any Court, may be continued to the Fourth Court after Appearance Court & no longer, except, &c.

Actions discontinued thro' Default of the plaintiff, the Court to award him to pay Costs.

If thro' Default of the Defendant, Judgment to be given for the plaintiff.

If thro' Default or Neglect of Attorneys,

Their Penalties in the several Courts.

*Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of His Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That all Actions now depending in any Courts of Law within this Province, as well as all other Actions to be commenced, may be continued to the End of the Fourth Court, of the Appearance Court, in any of the Courts aforesaid, and no longer (except in Causes where Evidences are wanting from beyond the Sea) which is left to the Direction of the Court where such Case shall happen; and that it shall and may be lawful for the several Courts aforesaid, upon the Discontinuance of any Action or Actions aforesaid, (if by the Act or Default of the Plaintiff,) to award him to pay the Costs; but if by the Act or Default of the Defendant, then to give Judgment for the Plaintiff; and if thro' the Default of any Attorneys neglecting their Duties in bringing Causes to Decision within the Time limited by this Act, in all and every such Case, every Attorney so neglecting his Duty to the Prejudice of his Client, shall for every such Neglect in the Provincial Court, forfeit the Sum of Five Thousand Pounds of Tobacco: And for every Neglect in the County Court, the Sum of Two Thousand Pounds of Tobacco, and all Costs of Suit accrued on any