

the Fourth Court of the Appearance Court, and no longer, except in cases where Evidence is wanting from beyond Sea, which is left to the Discretion of the Court where such Case shall happen ; and it shall and may be lawful for the several Courts aforementioned, 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 of the Attornies, 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 Action discontinued by default of such Attorney, one half to the Party aggrieved, the other half to the Use of a publick Free School in the County. Provided, that the Time of Continuance of any such Suits in the Courts of Law, by Injunction in Chancery, or allowing Infants the Benefit of Parole Demurr, be not accounted in part of the Time of Limitations aforesaid.

THE Depositions of any Seafaring Men or others (whose Business and Employments call them out of the Province, when Actions should regularly come to Trial,) taken before two Justices of any County Courts or one of the Justices of the Provincial Court, in the Presence of the adverse Party to him, who requires such Deposition to be taken, if upon due Notice he thinks fit to attend, or if, upon Notice, he refuse to be present, (the Notice being proved,) shall be received as good Evidence in any of the Courts within the Province, as if such Evidence were personally present upon the Trial, and should deliver the same *Viva Voce*.

It shall and may be lawful for any Person or Persons that shall conceive themselves aggrieved by any Decree of the Chancery Court, to have an Appeal to the Governor and Council for the Time being, wherein each Member shall have a full Voice.

Supplementary ACT, to the Act for limiting the Continuance of Actions in several Courts within the Province, and ascertaining the Manner of taking the Evidence of Seafaring Men, and for granting Appeals.

Passed May
21st, 1730.

IT shall and may be lawful to and for the Judges in the High Court of Appeals, as Judges of all Writs of Error or Appeals from the Court