

C. H. A. P.  
XLI.  
Justices to  
make rules, &c.

II. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the justices of the provincial and of each respective county court within this province, by force and virtue of this act, may make such rules and orders from time to time, for the well governing and regulating their said courts, and the officers and suitors thereof, as to them in their discretion shall seem meet; and under such fines and forfeitures as they shall think fit, not exceeding one thousand pounds of tobacco in the provincial court, and five hundred pounds of tobacco in the county court, for any one offence, all which fines shall be to his majesty, his heirs and successors, for the support of government.

Jurisdiction li-  
mitted, &c.

III. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That any debt or debts of money or tobacco due to any person, being above the sum of four hundred and not above the sum of ten thousand pounds of tobacco, and being above the sum of thirty-three shillings and four pence and not above the sum of fifty pounds sterling in money, whereof the plaintiff is desirous of a speedy recovery against the defendant his debtor, in the county court, he shall proceed against such defendant in manner and form following; that is to say, 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 trial with the plaintiff the same court in which the writ is returned, and shall not have any imparlance; 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 trial had before them, except in some very extraordinary cases or accidents, at the discretion of the said justices.

This section was suspended for the space of two years by the act of November, 1788, ch. 27.

What balance  
shall nonsuit,  
&c.

IV. 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 session of assembly be sued or prosecuted in the county courts of this province, wherein upon trial it doth appear to the court that the just balance doth not exceed four hundred pounds of tobacco, or thirty-three shillings and four pence in money, the plaintiff shall be nonsuited.

By 1791, ch. 67, the sum must exceed ten pounds or one thousand pounds of tobacco in cases such as the justices of the peace have jurisdiction of, or the plaintiff shall be nonsuited.

And what in  
the provincial  
court, &c.

V. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That in all actions which shall at any time after the end of this present session of assembly be sued or prosecuted in the provincial court of this province, and upon trial it doth appear to the court that the just balance 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 nonsuited.

By 1785, ch. 87, the damages in the general court must exceed one hundred pounds, except in actions for trespass on real property, or the plaintiff shall be nonsuited.

Proviso.

VI. 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 (a) 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.

(a) 1714, ch. 4, now expired.

What suits  
may be brought  
in chancery.

VII. 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 doth not amount to twelve hundred and one pounds of tobacco, or five pounds and one penny in money.

Record, &c.  
may be trans-  
mitted, &c.

VIII. AND BE IT ENACTED, *by the authority aforesaid*, That when any person or persons against whom any judgment or nonsuit shall be given in any county court of this province, shall fly, remove, or absent him or themselves out of the county, and 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 nonsuit 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 entered 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