

An Act for Easement of the Inhabitants of this Province in Sutes att Lawe for small debts

Whereas the Inhabitants of this Province have been much grieved, molested & troubled by being forced by Provinciaall writs to appeare at the Provinciaall Courts & Attorneys there, notwithstanding the debts sued for are very small & within the Cognizance of the County Courts of this Province, for the preventing whereof for the future the Burgesses & Delegates of this present Gen^l. Assembly doe humbly pray that it may be Enacted And be it Enacted by the Right Hon^{ble} the Lord Propriety by & with the advice & consent of the upper & lower houses of this present Generall Assembly & the Authority of the same That from & after the publication hereof noe Action for a bookes debt or upon a plaine & Pledge shall be commenced or prosecuted against any Inhabitant of this Province in the Provinciaall Courts, except only upon Appeals from the County Courts of this Province And Attorneys of the Provinciaall Courts & County Courts for their fees only wch^o shall have liberty to sue for the same in the Court where they are Attorneys And that noe Attorney of the Provinciaall Court shall be allowed any privilege to debarre him from being sued in the County Court where he lives And be it further Enacted by & with the advice & consent aforesaid That if any person shall commence or prosecute any Suite or plaint in the Provinciaall Court of this Province for or under the sume of fiftene hundred pounde of tobacco & Castles in manner & forme as aforesaid shall suffer a Nonsuite & pay such Costs to the Defend^t as are usually granted by the Provinciaall Courts of this Province And be it further Enacted by the Authority aforesaid, y^t an Account Sworne to by the p^t or a bill proved by his Evidence before any one Justice of the Provinciaall Court or any two Justices of any County Court within this Province shall be sufficient Evidence to prove the said debts in any County Court within this Province Provided always that the party who shall Swear or give Evidence as aforesaid before one Justice of the Provinciaall Court or two Justices of any County Court to prove any debt as aforesaid shall at the same tyme declare upon his Oath whether he knowes of any paym^t or discount of any part or parcel of the Account or debt soe to be proved which shall be Certified under the hand or hands of such one Justice of the Provinciaall Court or two Justices of the County Court before whom the said Account or debt shall be proved which Certification made & signed as aforesaid shall be taken & allowed as sufficient