

The Plaintiff to give Security to the Defendant, to make Restitution, upon due proof that all, or any Part of the Debt was satisfied before Recovery thereof by Law.

In such Case, the Provincial Court may vacate Judgment, and

Order a Rule to be made to stop Execution.

dered henceforth in the Provincial Court, by Virtue of this Act, where the Debtor, Damage sued for, or any Part thereof, is now, or at any Time before the Commencement of such Suit shall be paid, shall be injured or surprized into such Judgment, *Be it Enacted by and with the Authority, Advice, and Consent aforesaid,* That when, and as often as any Sum of Money, Quantity of Tobacco, or other Goods, shall be taken in Execution, or any Land shall be extended by Virtue of any Judgment in the Provincial Court, that shall be rendered against any Person who shall not be arrested or taken upon, and by Virtue of, the usual Process in the Case, the Person to whose Use any Money, Tobacco, or other Effects, shall be levied, or any Land extended, shall be obliged to give sufficient Security in the Provincial Court, to restore such Money, Tobacco, Goods, or Lands, to the Defendant or Defendants, at any Time within Three Years from the Return of any Execution, executed in case such Defendant or Defendants shall make appear, within that Time, that he, she, or they had satisfied the Sum sued for, recovered, and executed; and in case the Defendant or Defendants shall make appear that any Part hath been satisfied as aforesaid, that then, and in such Case, the Court shall award Restitution to be made to such Defendant or Defendants, of so much as he, she, or they, have paid, and the Money, Tobacco, or other Goods levied, or Lands extended, exceeds the real Debt or Damages, and legal Costs of Suit; any Law, Usage, or Custom, to the contrary notwithstanding.

*And be it further Enacted,* That if any Person, who shall not be taken and arrested as aforesaid, and against whom any such Judgment shall be rendered as aforesaid, and whereof no Part shall be levied or extended by Virtue of any Execution, shall at any Time, within Three Years after the rendering such Judgment, make appear to the Provincial Court, that the real Debt or Damage, for which such Judgment shall be rendered, hath been satisfied before the rendering thereof, that then, and in all such Cases, the Provincial Court shall and may vacate such Judgment; any Law, Usage, or Custom, to the contrary notwithstanding.

*And be it further Enacted,* That where any Person or Persons, who shall not be arrested or taken as aforesaid, and against whom such Judgment shall be rendered as aforesaid, and no Part of the Debt, Damage, or Cost is recovered, shall be levied or extended, if such Person or Persons shall, within the Time aforesaid, make appear to the Provincial Court, that any Part of the Debt or Damage recovered was satisfied and paid before such Recovery, that then, and in all such Cases, the Provincial Court shall order a Rule to be made and entered, to stay Execution, for such Part as shall be made appear to have been so satisfied and paid; any Law, Usage, or Custom, to the contrary notwithstanding.

*And be it Enacted by the Authority aforesaid,* That all Bonds, or other Obligations under Hand and Seal, shall be assignable from one Person to another under Hand and Seal, and that the Assignee in such Case, shall and may, by Virtue of such Assignment, maintain an Action or Actions on such Bond or Obligation, in his or her own Name, against