

C H A P.
XX.

giving Two Months Notice of said Sale in the *Maryland Gazette*; and the Produce Money arising by such Sale, to apply towards the Purchase of another Piece of Land, lying in some more central Part of the said Parish: And that such other Land, when so Purchased, shall be made over to the Vestry-men and Church-wardens aforesaid, or the major Part of them, in Trust and for the Use and Benefit of the Minister or Incumbent of said Parish, for the Time being, and to his Successors, Ministers or Incumbents of the said Parish, for ever.

Or, the purchase Money to be put to Interest.

III. **Provided**, That in case the said Vestry-men and Church-wardens, shall not be able in Six Months after the Sale aforesaid, to Purchase some other Tract of Land more central, as herein before directed, then the said Vestry-men and Church-wardens shall, and are hereby impowered and directed to place the Money arising from the said Sale as aforesaid, out to Interest upon good and sufficient Security; which Interest shall be paid Yearly, to the Rector or Incumbent of the said Parish, for the Time being, until the Purchase as aforesaid can be made; which, it is nevertheless hereby Declared to be the Duty of the said Vestry-men and Church-wardens, or the major Part of them, to make as soon as they possibly can to the Advantage and Convenience hereby intended; any thing in this Act to the contrary notwithstanding.

C H A P. XXI.

Passed 21st of
November.

An ACT for the speedy Recovery of small Debts out of Court, before one Justice of the Peace.

Preamble.

WHEREAS the Recovery of small Debts before one Justice of the Peace, out of Court, has been found a great Satisfaction and Ease to the good People of this Province, and that the Jurisdiction of one Justice of the Peace, by the Law heretofore made, is not sufficiently extended to suit their Conveniency and Benefit: It is therefore humbly prayed that it may be Enacted,

Debts not above 600^{lb} of Tobacco, or 50^s. to be recovered before a Single Justice.

II. **And be it Enacted**, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Cases where the real Debt, or Damage, doth not exceed Six Hundred Pounds of Tobacco, or Fifty Shillings Current Money, it shall and may be lawful for any one Justice of the Peace, of each respective County wherein the Debtor doth reside, to try, hear and determine the Matter of Controversy, between the Creditor and Debtor, and upon full Hearing of the Allegations and Evidences of both Parties, shall give Judgment according to the Equity and Right of the Matter, and if Need be, charge the Constable with the Body of the Debtor in Execution, who is hereby obliged and impowered to carry the Person so committed, to the Sheriff of the County, together with a Certificate or Mittimus from such Justice, wherein shall be certified the Debt and Cost whereof such Person shall be convicted, by him to be safely kept, until Satisfaction, or other End thereof; or otherwise, that such Justice, or any other Justice of the Peace for the same County, shall, within Twelve Months from the Time of the Rendition of said Judgment, award Execution thereon (directed to the Sheriff of the County) by Warrant or Mittimus, in the Nature of a *Capias ad satisfaciendum*, *Fieri facias*, or otherwise, and that in Case upon the Return of any Warrant, or any Complaint issued by any such Justice, it shall appear that the Person against whom the same shall issue is not to be found, it shall and may be lawful for the Creditor to proceed, in the several and respective County Courts, for obtaining an Attachment, according to the Directions of the Act for issuing out Attachments in this Province, and limiting the Extent of them, against the Goods, Chattels, and Credits
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