

of such Persons, for any Sum exceeding One Hundred Pounds of Tobacco, or Ten Shillings in Current Money; any Act, or Acts, to the contrary notwithstanding. C H A P. XXI.

III. And whereas many Times Witnesses may be wanting, or the Parties not prepared, to make good their Allegations immediately on the Appearance of a Defendant; so that a further Time may be necessary to examine into the Matter of Controversy: **Be it therefore Enacted,** That when any Defendant shall be brought on a Warrant, before any Justice of the Peace, such Justice may, if he in his Discretion shall think fit, give and allow to such Defendant a future certain Day, not exceeding Ten Days, to appear before such Justice, or any other Justice of the same County, at a certain Place to be appointed, to answer unto such Warrant, such Defendant giving good and sufficient Security, if such Justice shall award it necessary, by way of Recognizance, in the Nature of Bail, for the Defendant's Appearance at the Time and Place appointed, and paying what he shall be condemned in on the said Warrant, or surrendering his Person to Prison in Satisfaction thereof, or in Default of the Defendant's giving such Security, to commit such Defendant to the Sheriff's Custody, till he gives such Bail; and if the Defendant shall not appear, at the Time and Place appointed, Judgment may be rendered against him on such Default, or on an *ex Parte* Hearing, if the Justice does not see Cause to the contrary, and if Judgment shall be in any Manner rendered against the principal Debtor; and he does not pay such Condemnation, or render himself on Execution, to be issued returnable at the End of Thirty Days from the issuing thereof, a Warrant shall and may be issued, and Recovery and Execution had against such Bail in the same Manner as against principal Debtors: Saving to such Bail all Manner of Defence that Special Bail, in Courts of Law are entitled to, on the Return of the first or Second *Scire facias*, and the Liberty of delivering up the principal Debtor, on the Return of such Warrant, on Payment of Costs on the same Warrant. Time allowed to procure Evidences, &c.

IV. **Provided always, and it is hereby Enacted,** That the Constable shall give Notice to the Plaintiff, or his Agent, where either of them lives in the same Hundred, of the Time and Place he intends to carry the Defendant before a Justice; and in case neither the Plaintiff, having Notice as aforesaid, nor any Person for him, nor the Plaintiff, nor any Person for him, when such Plaintiff lives out of the same Hundred, and hath not appointed any Agent in that Business, with or without Notice, shall appear on the Return of the Warrant, or shall make Default in not appearing at the Time and Place appointed, when there shall be an Appointment by the Justice of a future Day for an Hearing, the Justice before whom any Defendant shall be brought on a Warrant as aforesaid, or before whom he shall appear on an Appointment as aforesaid, shall and may hear and determine the Matter of Controversy *ex Parte*. Constable to give Notice to the Plaintiff.

V. **And be it further Enacted,** That from and after the End of this present Session of Assembly, it shall and may be lawful for the Justice before whom any such Judgment is had, or any other Justice of the Peace of that County, to take a *Supersedeas* of such Judgment, in the same Manner, and for the same Time, as is by Law directed for any Two Justices to take of any Judgments, or Executions on Judgments, rendered in the several County Courts of Law of this Province. Supersedeas may be taken.

VI. **And be it likewise Enacted,** That the Justices of the several County Courts within this Province, shall not hold Plea in the said Courts, of any Debt or Damage which shall not exceed Six Hundred Pounds of Tobacco, or Fifty Shillings in Current Money; any Law, Usage, or Custom, to the contrary, notwithstanding. Small Debts not to be sued for in the County Court.

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VII. And