

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1899. 67

the justice of the peace shall not hold jurisdiction thereof if the debt and damages exceed the sum of twenty dollars." The yeas and nays being required, appeared as follow :

A F F I R M A T I V E.							
Messrs Plater Wilkinson Chapman	C Dorsey Kerr Bayly	Winder Cottman Lecompte	Griffith Calvert Magruder	Boyle J E Spencer Wilson	Hayward J Thomas Baer	J H Thomas Worthington Tabbs	S Thomas Veatch Bayard
N E G A T I V E.							
Messrs Hall Angier Harris W Moffitt Belt	A Dorsey Williams Sellman Harryman M Brown	Randall Stevens Seth Frazier Groome	J S Moffitt Physick J Brown Hopper Palmer	Prideaux Quinton Schley Archer	Forwood Davis Streett Willis	Jump Bland Bowles Cellar	Brent Hilleary Cresap Reid

So it was determined in the negative.

On motion by Mr. W. Moffitt, the question was put, That the following be inserted after the first clause? to wit: "And be it enacted, in all cases where debt and damages amount to ten pounds and upwards, the defendant may give bail instead of supersedeas, which shall stay execution twelve months, and in all cases where the body shall not be found when the execution issues, as the case now is in the county court, the same proceedings shall be had against the bail by scire facias as would have been had in the county court before the passage of this act." The yeas and nays being required, appeared as follow :

A F F I R M A T I V E.							
Messrs Hall W Moffitt	Bayly Winder	Calvert Herbert	Boyle	Palmer	J Thomas	Baer	J H Thomas
N E G A T I V E.							
Messrs Plater Angier Harris Belt Williams Sellman Wilkinson	Chapman C Dorsey Harryman M Brown Randall Stevens	Kerr Seth Cottman Lecompte Griffith Frazier	Groome J S Moffitt Physick Magruder J Brown Hopper	J E Spencer Prideaux Quinton Wilson Hayward Schley	Archer Forwood Davis Streett Willis Jump	Worthington Bland Bowles Cellar Tabbs Brent	S Thomas Veatch Hilleary Bayard Cresap Reid

So it was determined in the negative.

On motion by Mr. Wilson, the question was put, That the following be inserted after the first clause? to wit: "And be it enacted, That in all cases where the debt or damages exceed the sum of twenty dollars, upon the notice of either plaintiff or defendant, requiring a trial by jury, the justice before whom the trial is to be had shall issue a venire, directed to the constable of the hundred, directing the said constable to summon twenty persons as jurors, four of whom may be struck off by plaintiff, and four by defendant, and if eight should not be struck off by plaintiff and defendant, the said justice shall strike off all but twelve, which twelve shall be empannelled and sworn to try the issue or issues joined between said plaintiff and defendant, in the same manner as is now practised in the county courts of this state, and upon the verdict of the jury aforesaid the justice shall render judgment." Determined in the negative.

On motion by Mr. Worthington, the question was put, That the following be inserted after the first clause? to wit: "and the principal or his security may, at any time before the expiration of the time of supersedeas, pay the amount of debt and costs superseded to the justice of the peace before whom said supersedeas was taken, and such shall be deemed the same as if made to the party holding the judgment, and be as conclusive against the said judgment, and all costs which may subsequently accrue thereon." Determined in the negative.

On motion by Mr. Bayly, the question was put, That the following be inserted after the fourth clause? to wit: "And be it enacted, That if any justice of the peace shall omit to keep a docket as aforesaid, or to pursue the directions of the act to which this is a supplement, so that by such neglect or omission, the plaintiff, having obtained a judgment before such justice, shall lose his or her debt, that then and in that case the said justice shall pay and satisfy to the said plaintiff the debt, interest and costs, lost as aforesaid." The yeas and nays being required, appeared as follow :

A F F I R M A T I V E.							
Messrs Plater Hall Angier Harris Wilkinson Chapman C Dorsey	Randall Stevens Kerr Seth Bayly Winder Cottman	Lecompte Griffith Frazier Groome J S Moffitt Physick Calvert	Herbert Magruder Boyle J Brown Hopper J E Spencer Prideaux	Quinton Wilson Hayward J Thomas Baer J H Thomas	Schley Archer Forwood Davis Streett Willis	Worthington Bland Bowles Cellar Tabbs Brent	S Thomas Veatch Hilleary Bayard Cresap Reid
N E G A T I V E.							
Messrs W Moffitt	Belt	A Dorsey	Williams	Sellman	Harryman	Palmer	Jump

So it was resolved in the affirmative.

On motion by Mr. Archer, the question was put, That the following be inserted after the fifth clause? to wit: "provided nevertheless, that nothing in this act contained shall extend, or be construed to extend, to divest the several county courts in this state from the power of holding plea of any debt or damages, where the same doth not amount to the sum of fifty dollars, or may be above ten pounds current money, where the writ or original process issued for the recovery of the same shall have been impetrated at any time before the first day of May next." Resolved in the affirmative.