

Act, shall be and continue, and the same are hereby continued in Force from the Expiration thereof, until the First July One Thousand Seven Hudedred and Seventy Two.

C A P. XII.

An A C T in Amendment of an Act, made in the Fifth Year of his present Majesty's Reign, intituled *An Act for the summary Trials of Actions.*

5. Geo. 3. cap. 1.

HEREAS the Proceedings for the Recovery of small debts have hitherto been attended with great Expence, in order to remedy the same.

Preamble.

I. Be it Enacted by the Governor, Council and Assembly, that for the future all Causes where the Sum shall not exceed three Pounds, shall be sued for and recovered before one or more Justices of the Peace, and that the Summons in such Causes as relate to the Township of Halifax shall be directed to the Provost Marshall or his Deputy, and in all such Causes as relate to the other Townships in the Province the said Summons shall be directed to the Provost Marshal, his Deputy or the Constable of the Township where the Plaintiff or Defendant shall dwell, and shall be by the said Provost Marshal, his Deputy or Constable read to the Defendant, or in his Absence a Copy thereof, shall be left at his House, Lodging, or last Place of Abode, at least three Days before the Trial.

Causes not exceeding £3 to be sued for before one or more Justices of the Peace.

Summons in Halifax to be directed to the Provost Marshal, or his Deputy;

and in other Towns to the Provost Marshal, his Deputy or Constable.

II. And Be it Enacted, that for the serving the said Summons the Provost Marshal his Deputy or Constable shall have two Shillings and Six-Pence, and no more, and for the Service of the Execution One Shilling with One Shilling Poundage on levying, and that the whole Expence to be charged by the Justice or Justices for the Summons, Judgment and Execution, shall be Four Shillings and Ten Pence that is to say Two Shillings and Six-Pence for the Summons, One Shilling for the Judgment and One Shilling and Four Pence for the Execution, any Law, Usage or Custom to the contrary thereof notwithstanding.

Fees for Summons and Execution, and also for Service.

Provided, that in Case the Provost Marshal, his Deputy or Constable shall be obliged to travel upwards of two Miles to serve, or levy the Execution, he shall be allowed two Pence per Mile travel.

If the Provost Marshal, his Deputy or Constable travel more than 2 Miles to be allowed two Pence per Mile.

III. And Be it also Enacted, That the form of the Summons and Execution shall be as follows.

Ij

FORM

F O R M of the S U M M O N S.

FORM of the Summons.

To  
**Y**OU are hereby required to Summon A. B. of to  
 appear before me on the Day of at o'-  
 Clock in the to answer to C. D. in the Sum of  
 and make return hereof, on or before said Day  
 WITNESS my hand and Seal the

F O R M of the E X E C U T I O N

FORM of the Execution.

To  
**W**HEREAS Judgment hath been awarded against A. B. of  
 at the Suit of C. D. for the Sum of  
 and more for Costs, these ate to require and com-  
 mand you, to levy from off the Goods and Chattels of the said A. B.  
 the said Sums making together by Sale of the said Goods  
 and Chattels and for Want thereof, you are hereby commanded to  
 take the Body of said A. B. and him to commit to His Majesty's Goal in  
 there to remain until he pay the Sum abovemention-  
 ed with your Fees, or that he be discharged by the said C. D. or  
 otherwise by order of Law. Hereof fail not, and make return of  
 this Writ to me within ten Days.  
 WITNESS my Hand and Seal the

Justices of the Peace may take Confessions of Debts not exceeding £3.

And, *Be it also further Enacted*, That any one of His Majesty's Justices of the Peace is hereby empowered to take the voluntary Confession of the Debtor, where the Debt shall not exceed Three Pounds, in like Manner as is provided for Confessions before the Justices of the Supream Court or Inferior Courts, for which Confession and Execution such Justice shall receive Two Shillings and no more.

C A P. XIII.

6. Geo. 3. cap. 4.

An A C T in Addition to an Act made in the sixth Year of his present Majesty's Reign, intituled *An Act for the Establishment of Fees, as regulated by the Governour and Council, at the Request of the House of Assembly.*

Fees established.

**B**E it enacted by the Governor, Council, and Assembly. That the following Fees being allowed by the Governor and Council shall be taken and received by the Judge and Register of Probates, as follows. JUDGE