

cording to the present Rate of Currency in this Province, and how the Debt or Demand arises; which Affidavit being filed in the Office of the Clerk of the said Court, shall be as effectual to all Intents and Purposes, as if made by the Principal or Plaintiff in such Suit: And the Judge or Clerk of the said Court who shall take the same, shall direct Bail to be taken, by indorsing the Writ in the same manner, *Mutatis Mutandis*, as in and by the said Act is prescribed: And by Virtue of such Writ, the Defendants Body may be arrested or imprisoned, or his Goods, Chattels, or Estates attached, any Thing in the said Act to the contrary notwithstanding.

*And WHEREAS the Trial of Causes in a summary Way, before One or two Justices, hath been found very useful, and a means of Determining many Suits with little Costs,*

*Be it enacted by the Authority aforesaid, That the Inferior Court of common Pleas, be and are hereby impowered (in all Causes or Actions brought before them, the Sum Total whereof shall not exceed the Sum of five Pounds) to proceed in a summary Way, by Witnesses, to examine into the Merits of such Causes, wherein no dilatory Pleas shall be allowed, and to determine therein according to Law or Equity, and to make up Judgment accordingly, subject to an Appeal to the Supream Court when the Judgment shall be five Pounds, there to be determined in manner aforesaid. Provided always that when on the Examination of the Witnesses, the matters of Fact, from the Evidence, may be doubtful to the Court, in such Case they may order a Jury to be summoned to try the same.*

*And WHEREAS References and Awards have contributed much to the speedy Settlement of Accounts between Merchants, Tradesmen, and others, and to their Satisfaction,*

*Be it enacted by the Authority aforesaid, That, on Application made in Court by the Parties, or their Attorneys, Agents, or Factors, in any Action commenced there, that they mutually agree to leave the Matters in difference, to the Arbitration of indifferent Men, to be chosen by each Party, in such Case the Court shall appoint a Person to be joined to the said Arbitrators; and the Judgment or Award of the Majority, shall have the full Force and Effect of a Verdict; and the Court is hereby impowered to make up Judgment thereon, and award Execution accordingly.*

*And be it further enacted, That when any Merchants, Traders, or others, desire to End any Controversy, Suit, or Quarrel, by Arbitration or Award, it shall and may be lawful for any of His Majesty's Courts of Record, to receive and order such their Submission or Agreement in Writing, being first proved on Oath, to be entered with the Conditions thereof; and on the Return of the Award and Determination of the Arbitrators (or umpire, when so submitted) and the same being filed with the Clerk of the Court, on the First Day of the Court, the said Court is hereby impowered to enter the same, and make up Judgment, and award Execution thereon.*