

IX. *And be it further enacted*, That no prosecution or suit for the recovery of any of the penalties mentioned in this act, shall be brought or instituted after the expiration of *twelve months* from the time of committing the offence intended so to be prosecuted.

Prosecutions to be commenced within *twelve* months.

X. *And be it further enacted*, That the said herein before recited act, and every clause, matter and thing therein contained not herein or hereby altered or repealed shall be and remain in full force, in the same manner as if this act had not been made, any thing herein before contained to the contrary notwithstanding.

C A P. IV.

An ACT for the RECOVERY of SMALL DEBTS.

WHEREAS it is necessary for the effectual administration of justice in suits for the recovery of debts to the value of *forty shillings* in the respective counties within this province that further regulations be made.

Preamble.

I. BE IT ENACTED, *by the Lieutenant Governor, Council and Assembly*, That all jurisdiction, power, authority, fees and rights given to or exercised by any Clerk or Clerks of the Clerks Courts and every of them, be fully and absolutely taken away and determined, and that all the jurisdiction, power and authority so given and exercised as aforesaid, by the several Clerks aforesaid, be transferred to, and vested in any and every Justice of the Peace in the several counties: And that such Justice of the Peace in the several counties shall have full power, authority and jurisdiction to issue any process or processes, and to hear and determine all causes whatsoever cognizable in the said Courts respectively, fully and absolutely to all intents and purposes whatsoever—PROVIDED ALWAYS, that no original process shall issue to compel the appearance of any defendant or defendants in any cause whatsoever out of the limits of the town or parish where such defendant resides, in case there be any Justice of the Peace resident in such town or parish.

The authority of the Clerk's Court taken away.

and transferred to the Justices of the Peace.

No defendant to be summoned out of the parish in which he lives,

II. *And be it further enacted*, That in case no Justice of the Peace shall reside in the same town or parish with the said defendant, then the said defendant shall be summoned to appear before the Justice residing nearest to the place of his abode.

If there shall be no Justice in the parish—defendant to be summoned before the nearest Justice.

III. *And be it further enacted*, That the Justice or Justices shall hold their court on the *first* Tuesday of every month and no oftner, unless the plaintiff shall make it appear that the defendant is about to remove from said town or parish.

Justices to hold their courts the 1st Tuesday in each month.

IV. *And be it further enacted*, That there shall be *eight* days between

To be 8 days between issuing