

Provided always, That when on the Examination of the Witnesses (which shall be taken in Writing) the matters of Fact from the Evidence may be doubtfull, in such Case they may order a Jury to Try the same, any former Law of this Province to the contrary notwithstanding.

And be it further enacted, That any one of the Justices of the Supreme Court or Courts of Common Pleas within this Province, is hereby impower'd in all Causes of Action brought before him, where the Debt does not exceed *Ten Pounds*, to take the voluntary Confession of the Debtor for the Sum demanded by the Creditor, as agreed between the Debtor and Creditor, and upon such Confession so made by the Debtor, and the Specialty Contract or Account on which the said Debt arose, being filed with said Justice and a Record made of the same, that then said Justice by whom such Record is made, is hereby impower'd to grant execution thereon according to such agreement, upon the Oath of the Creditor, that the Debt is *bona fide* due to him, in the same manner as if the said action had been Tried in either of the said Courts, and that the whole Costs on such Confession and Record of the same, and Execution, shall not exceed *Five Shillings* Exclusive of the *Provoost Marshals Fees*; and the Proceeding so had before the said Justice (where the Debt is *Three Pounds* and upwards) shall be filed by him with the Clerk of the Court to which such Justice belongs, that the same may be Recorded therein, and the Clerks Fees for so doing shall not exceed *One Shilling*; and where the Debt is under *Three Pounds*, the Record thereof shall remain with the Justice before whom the Debt was confessed.

And be it further enacted, That all causes where the Sum shall not exceed *Twenty Shillings*, shall be Sued for and Recover'd before one Justice of the Peace, and that all Causes where the Sum shall not exceed *Three Pounds* shall be Sued for, and Recover'd before *Two Justices*, subject to an Appeal as heretofore hath been practised, and they are hereby impower'd to award Execution Returnable to him or them within *Ten Days* after the Date thereof, and if not satisfied he or they may issue out *Alias or Pluries* Returnable Respectively within the Term of *Ten Days* each, and all Writts of Summons issuing from such Justice