

each Township
--power limited.

Governor, or Commander in Chief for the time being, to appoint and Commission three fit and proper persons in each Township, or in each Place or Settlement not within any Township in this Province; which three persons appointed as aforesaid, or any two of them, shall have power, within the Township or Place for which they shall be commissioned, to hear and determine all actions of debt, or actions arising upon contract, when the whole dealing and cause of action is not less than three pounds, and does not exceed ten pounds.

Commissioners
meet.

IX. *And be it further enacted*, That the persons so appointed and commissioned as aforesaid, after being sworn before some one of the Justices of the Interior Court of Common Pleas, for the faithful discharge of their duty, shall meet on the first Wednesday of March, the first Wednesday of June, the first Wednesday of September, and the first Wednesday of December, within the Township or Place for which the said persons shall be appointed; and shall be and are hereby empowered in all actions of debt, or actions arising upon contract, when the whole dealing and cause of action exceeds the sum of three pounds, and does not exceed the sum of ten pounds, to proceed to hear and try the same in a summary way by examining witnesses on oath, and to determine the same with the least possible delay, and to give Judgment thereon.

Appeal from the
judgment of the
Commissioners.

X. *And be it further enacted*, That if either party shall think himself injured by the Judgment of the said Commissioners, he may appeal to the next Supreme Court, or Inferior Court of Common Pleas for the County or District in which such Commissioners reside, and Execution shall be stayed if the party appealing shall give sufficient security to prosecute such appeal at the next Supreme Court, or Inferior Court of Common Pleas, and to perform whatever the Judgment of such Court shall be; and the said persons so commissioned as aforesaid shall, on the first day of the sitting of the said Supreme Court, or Inferior Court of Common Pleas, deliver to the said Court to which such appeal shall be made, the names of the parties to the cause in which an appeal hath been entered, with all the papers touching and concerning the same; and if the party appellant shall not appear to prosecute the same the first term, such appeal shall be dismissed, with costs; but, if the parties appear, the said Court shall try the said cause in a summary way, or by a Jury, if either party require the same, and give Judgment thereon, and award costs, whether for the appellant or the appellee, as the Judgment may be; which Judgment shall be entered up as other Judgments are in summary causes; and no Writ of *Certiorari*, or *Habeas Corpus cum causa*, shall be allowed or brought to remove any Judgment given in such causes upon appeal as aforesaid.

Writs which
may be issued
by Commissioners.

XI. *And be it further enacted*, That the persons so to be appointed and commissioned as aforesaid, or either of them, may and shall issue Writs of Summons, Capias and Attachment. *Provided always*, That before the issuing of any Writ of Capias or Attachment, the party applying for the same shall make and subscribe an affidavit of the sum due to him, and that he verily believes, that unless such Capias or Attachment is allowed, the debt will be lost.

Judgments and
Executions of
Commissioners.

XII. *And be it further enacted*, That the Judgments given by the said persons so to be appointed and commissioned for each Township and place as aforesaid, shall be signed by a majority thereof; and the Execution issued thereon, shall be signed by the persons so signing the Judgment as aforesaid; and the said Executions shall be against the goods and chattles, or body, of the persons against whom Judgments shall be signed for the the sum awarded, and costs; which Executions shall be returnable on the first day appointed for the meeting of the said Commissioners next after issuing the same.

Forms of Writs
to be used by
Commissioners.

XIII. *And be it further enacted*, That the said Writs of Summons, Capias, Attachment and Execution,