

Goalers & Peace
Officers to aid &
assist.

And all Gaolers, Constables and Peace Officers, when thereunto required, shall be aiding and assisting to the Justices employed in the said service under the penalty of ten shillings for every default, to be recovered before any one Justice of the Peace, in a summary way, by warrant of distress and sale of the Offender's goods and chattels, returning the overplus to the Owner, if any there be, after deducting the penalty and the costs, one half of which penalty shall belong to the person suing for the same, and the other to the Crown, and be forthwith paid by the Officer executing the said warrant into the hands of His Majesty's Receiver General.

Terms, &c. for
the District of
Hesse, how to be
ascertained.

VIII. And in as much as the annual collection of the Trade will require yearly Circuit Courts to be held in the northern parts of the District of Hesse, be it also enacted by the same authority, that it shall be lawful for the Governor or Commander in Chief, for the time being, by Proclamation to be issued under the Great Seal of this Province, by and with the advice of His Majesty's Council, to ascertain the terms of such Sessions, and the cognizance of the causes there to be tried and adjudged, and the mode of proceeding therein, and whatever shall appear to be requisite for the effectual administration of Civil Justice, at such Circuit Courts, or the perfecting the business thereof in any other Court of the said, or any other District; this Act and any other Law, usage or custom to the contrary thereof, notwithstanding.

Jurisdiction of
the Civil Courts
in the District of
Hesse relating to
Domicile.

IX. And be it further enacted by the same authority, that in Civil Actions to be instituted in the District of Hesse, it shall not be a ground of Exception of any kind whatsoever to oust the Courts of the said District of Jurisdiction, that the Cause of action arose out of the same, or that by reason of the Domicile of the Defendant it ought to be brought elsewhere, but that all the proceedings in causes there instituted, and the Judgment and Execution thereon, shall be deemed and adjudged to have the like force, effect and consequences in all respects whatsoever, as if the cause of action, and ground of defence had arisen, and all transactions relating to the same had happened within the said District of Hesse.

Particular limitation of actions
in the District of
Hesse.

X. And forasmuch as, for want of a regular Magistracy and an establishment for the convenient dispensation of Justice in the District of Hesse, attempts may be made to elude the payment of just debts, under pretext of the Laws of prescription or limitation, which presuppose a state of general tranquility, and the easy and free course of Justice, be it also enacted by the same authority, that every such Plea or Defence, under the Laws of prescription or limitation be adjudged to be null and void in every cause to be instituted in the Courts of the said District of Hesse, except in actions and cases accruing posterior to the first day of January which will be in the Year of our Lord one thousand seven hundred and ninety: provided always, and be it enacted that nothing herein contained shall be construed to revive a demand or cause of action arisen prior to the first day of January in the Year of our Lord one thousand seven hundred and eighty-six.

Provide.

Proofs, admissible in the five
New Districts.

XI. And whereas the Western Districts of Luneburg, Mecklenburg, Nassau and Hesse are, and also the District of Gaspé probably will be chiefly inhabited by persons born within the ancient dominions of the Crown of Great-Britain, be it further enacted by the same authority, that in civil causes hereafter to be tried or adjudged and determined in either of the said New Districts, where the title to the Freehold shall not come into question, no proof offered in such cause shall be deemed to be inadmissible that would be sufficient to sustain the point for which the same is offered, either by the ancient or present laws of the Province, or by the laws of England.