

Constable to make return to the Justice, who shall proceed to Trial, unless Defendant shall demand a Jury, in which case the Justice shall issue a Venire.

II. *And be it further enacted*, That every Constable shall indorse on such Process a true return of the service thereof, and make return of the Summons to the Justice who issued the same; and upon such return the Justice shall proceed to hear the parties and their proofs and evidences, and give such Judgment thereon as to him shall appear just and equitable, unless the Defendant two days before such Trial shall give notice to such Justice that he shall put such cause to issue by a Jury, in which case the Justice shall issue a Venire to a Constable, commanding him to Summon three good and lawful Freeholders, who shall be in no wise of kin to either of the parties to make a Jury for the trial of the Action, and if any legal challenge be made to any or either of them for such Trial, the Constable shall Summon another or others in his or their stead, which Jury shall be sworn to try the issue and give their Verdict, and the Verdict so given shall be conclusive, and Judgment rendered thereon as in a Trial before a Court of Record, and the Witnesses shall in like manner be sworn to give their Evidence in the usual manner; and upon every Trial the Defendants shall be allowed to set off any account or demand they may have against the Debt or demand of the Plaintiff, and if upon any Trial it shall be found that the Plaintiff is indebted to the Defendant, judgment shall be rendered in favour of the Defendant for the Sum found due and Execution issued thereon, provided the same shall not exceed *Five pounds*.

In case of legal challenge other Jurors to be summoned & sworn, &c.

Verdict to be conclusive &c.

Witnesses to be sworn.

Defendant allowed set off.

If the Plaintiff is found indebted, Judgment to be for the Defendant, not exceeding £5.

No person to plead or counsel, &c. in any cause to which he is not a party—unless he first make Oath that he hath not received and will not receive any Fee or reward therefor.

III. *And be it further enacted*, That no person whatsoever shall be permitted by any Justice to prosecute, defend, plead or counsel in any Suit or Action to be tried by virtue of this Act, to which such person is not a party, unless such person so offering or appearing to prosecute, defend, plead or give Counsel as aforesaid, shall previously swear before such Justice that he has not received or taken any Fee or reward for the same, either directly or indirectly, nor any other person to or for his use, and that he will not, directly or indirectly, receive or take any Fee or reward for the same, either by himself or by any other person to or for his use.

Jurors and Witnesses refusing to appear or serve to forfeit a Sum not exceeding 10s.

IV. *And be it further enacted*, That every person impannelled as a Juror or subpoenaed as a Witness, who shall not appear, or appearing shall refuse to serve, or to give Evidence in any such action, shall forfeit and pay for every such default or refusal (unless some reasonable cause be proved on Oath to the satisfaction of the said Court) such Fine or Fines, not exceeding the Sum of *Ten shillings*, as the said Court shall think reasonable to impose.

On Affidavit that a Debtor is about to abscond — Justice may issue a Capias and order Bail.

V. *And be it further enacted*, That whenever it shall appear to any Justice upon Affidavit that any Debtor in a Sum not exceeding *Five pounds*, shall be about to abscond, or that the Creditor is in danger of losing his Debt, such Justice shall issue a Capias against the Body of such Debtor, and order the Constable