

of a subject shall be served on any Justice of the Peace for any thing by him done in the execution of his office, until notice in writing of such intended Writ or Process shall have been delivered to him, or left at the usual place of his abode, by the attorney or agent for the party who intends to sue or cause the same to be sued out or served, at least one Calendar month before the suing out or serving the same; in which notice shall be clearly and explicitly contained, the cause of action which such party hath or claimeth to have against such Justice of the Peace; on the back of which notice shall be endorsed the name of such attorney or agent, together with the place of his abode, who shall be entitled to have the fee of *ten shillings* for the preparing and serving such notice, and no more.

against a Justice of the Peace for any thing done in the execution of his office, until notice in writing shall have been delivered to him or left at his place of abode, at least one month before the suing out or serving such writ containing the cause of action. Name and place of abode of attorney or agent to be indorsed on the back of the notice. Fee for preparing such notice.

II. *And be it further enacted*, That it shall and may be lawful to and for such Justice of the Peace at any time within one Calendar month after such notice given as aforesaid, to tender amends to the party complaining, or to his or her agent or attorney, and in case the same is not accepted, to plead such tender in bar to any action, to be brought against him, grounded on such Writ or Process, together with the plea of *Not Guilty*, and any other plea with the leave of the Court; and if upon issue joined thereon, the Jury shall find the amends so tendered, to have been sufficient, then they shall give a verdict for the Defendant, and in such case or in case the Plaintiff shall become nonsuit or shall discontinue his or her action, or in case judgment shall be given for such defendant or defendants, upon demurrer, such Justice shall be intitled to the like costs as he would have been intitled unto in case he had pleaded the general issue only; and if upon issue so joined the Jury shall find that no amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants on such other plea or pleas, then they shall give a verdict for the Plaintiff, and such damages as they shall think proper, which he or she shall recover, together with his or her costs of suit.

Justice within one month may tender amends, and in case of non acceptance, may & plead such tender in bar with the plea of Not Guilty and any other plea with leave. Jury finding the amends sufficient to give a verdict for the Defendant. In what cases Defendant is to be entitled to costs. Jury finding no amends tendered or insufficient and against the Defendant on the other plea, to find for Plaintiff, with damages.

III. *And be it further enacted*, That no such Plaintiff shall recover any verdict against such Justice in any case where the action shall be grounded on any act of the Defendant as Justice of the Peace, unless it is proved upon the trial of such action, that such notice was given as aforesaid; but in default thereof such Justice shall recover a verdict and costs as aforesaid.

Plaintiff not to recover unless notice is proved to have been given.

IV. *And be it further enacted*, by the authority aforesaid, that in case such Justice shall neglect to tender any amends, or shall have tendered insufficient amends, before the action brought, it shall and may be lawful for him by leave of the Court where such action shall depend, at any time before issue joined, to pay into Court such sum of money as he shall see fit; whereupon such proceedings; orders and judgments shall be had, made, and given in and by such Court, as in other actions where the Defendant is allowed to pay money into Court.

Justice neglecting to tender amends, may with leave of the Court pay such sum of money as he shall see fit, whereupon the Court shall proceed as in other actions where money is paid into Court.