

to have an alias Execution.

*alias* Execution for the Remainder. And the Sheriff, or his Deputy, shall annex to all Executions, when they return the same, the Appraisal herein before directed to be made. And the said Sheriff, or his Deputy, shall on no account, disturb any Person or Persons in Possession of Lands or Tenements at the time he shall levy Execution thereon, but shall leave such Person or Persons in the peaceable Possession thereof, until final Sale shall be made as aforesaid.

Nothing in this Act shall affect any Suit now depending.

V. *Provided always, and be it enacted*, That nothing in this Act contained shall extend, or be construed to extend, to such real Estates against which any Action or Suit at Law has been already commenced, or is now depending, in Pursuance of the said herein before recited Act, but that each and every such Action or Suit may be prosecuted without delay.

Actions may be prosecuted without delay.

Preamble.

VI. *And Whereas* the Manner in which Mortgages are now foreclosed within this Island is found tedious and very expensive: For Remedy whereof,

Lands, &c. mortgaged for 200<sup>l</sup>., Action may be brought in Supreme Court.

*Be it enacted, by the Authority aforesaid*, That from and after the Publication hereof, it shall and may be lawful for any Person or Persons whatsoever, to whom any Lands or Tenements within this Island now are, or may hereafter be, mortgaged for any Principal Sum, not exceeding *Two Hundred Pounds*, he, she, or they electing so to do, may bring an Action on the Case in His Majesty's Supreme Court of Judicature, at any of the Terms thereof, to recover the same against the Mortgagor, his Executors, or Administrators, and to set forth in his, her, or their Declaration, the Substance of such Mortgage. And in case the Mortgagor shall appear and plead thereto, it shall and may be lawful for such Mortgagor to give in Evidence and Proof all such Payments as have been made by him, on account of such Mortgage, *provided* he shall have furnished the Mortgagee, or his Attorney, with such Account, fourteen Days before Trial. And it shall and may be lawful for the Jury by whom such issue shall be

Substance of Mortgage to be set forth in Declaration.

In case Mortgagor appears and pleads, to be entitled to give in Evidence all payments he had made, &c. *Provided* he shall furnish Mortgagee or Attorney with Account thereof, 14 days before Trial. Jury to li-