

- Actions where brought.** IV. And be it enacted, That all actions in the County Courts shall be brought either in the County in which the plaintiff or plaintiffs, or one or more of them, or the defendant or defendants, or one or more of them, shall reside at the time of the commencement of the action, or in the County in which the debt was contracted or made payable, or the contract was made, in the option of the plaintiff or plaintiffs, and in default thereof the whole proceedings may, on the application of the defendant or defendants, or any one or more of them, made at any time before plea pleaded, or any interlocutory judgment or other judgment signed, be set aside with costs. 5 10
- Ca: Res.—Ca: Sa: and writs of attachment when returnable.** V. And be it enacted, That all Writs of Capias ad Respondendum, and of Capias ad Satisfaciendum, and of Attachment against person or estate shall bear Teste on the day on which they issue, and shall be returnable either forthwith or on a day not later than (thirty) days from the issuing thereof. 15
- When Non Pros: for not declaring. Judge may give time to declare or plead.** VI. And be it enacted, That unless the plaintiff in any action shall file his declaration within (three) calendar months next ensuing the last return day of the process served, the defendant may enter judgment of Non-pros: Provided always, that the time for declaring or pleading may be extended by the Judge of the Court. 20
- Sci: fa: abolished and judgments revived by ordinary Judge's Summons.** VII. And be it enacted, That the proceedings by Writ of Scire Facias be abolished, and instead thereof that a party or parties to a suit or any one of them desirous of reviving a judgment obtained therein, may obtain a Judge's Summons, calling upon the opposite and proper party or parties to shew cause why the judgment should not be revived and proceedings had thereon, and that it shall be in the power of any Judge of the said Courts, sufficient cause to the contrary not being shown, to order that such Judgment be revived and Execution, Certificate of Judgment or other usual proceedings be obtained thereon. 25
- Courts to have inherent jurisdiction to remedy technical difficulties.** VIII. And be it enacted, That the said Courts shall be held to possess inherent jurisdiction to carry out to final judgment and determination, any suit properly instituted within their jurisdiction, and that on the occurrence of any point of practice involving doubt or technical difficulty in Law, it shall be competent to any Judge of the said Courts, to decide upon the same as shall appear to him to be just and agreeable to equity and good conscience. 30 35
- Vacation abolished.** IX. And be it enacted, That such provisions of the Act or Acts now in force, as require that no declaration or pleading after declaration shall be filed or delivered in any action in the said County Courts, between the first day of July and the twenty-first day of August, in each and every year, be repealed, and that declarations, pleadings and all proceedings therein, may be filed, served and taken at all usual legal times. 40
- As to suits brought in Q. B. or C. P., and within the** X. And be it enacted, That in any suit to be brought in the Court of Queen's Bench or Common Pleas after this Act shall come into effect, which suit may be of the proper competence of the said County Courts, 45