

gages shall not exceed forty pounds, and when title to lands shall not be brought in question.

Original process to be a writ in the form of Schedule A.

How to be served.

Notice on the writ.

Proceedings if the Defendant makes default.

Recital,

III. And be it enacted, That the original process for compelling the appearance of the Defendant in any suit to be brought in the said Courts respectively, shall be a writ of summons in the form of the Schedule to this Act annexed, marked A, which shall bear *teste* on the day on which it issues, and be returnable immediately after the service thereof, and which shall be considered to all intents and purposes the commencement of the action, a copy of which in actions notailable, shall be personally served upon the Defendant, or on each of the Defendants if more than one, by some literate person ; and that upon every copy of such process there shall be endorsed an English notice, addressed to the Defendant or Defendants, of the intent and meaning thereof to the effect following: " You are served with this Process to the intent that you may, either in person or by your Attorney, enter an appearance in the office of the Clerk of the District Court for the District, within days after the service hereof upon you, in order to your defence in this action," which Writ shall be served within three months from the date thereof: And that in case the Defendant shall not appear within eight days after such service, it shall be lawful for the Plaintiff, upon affidavit being made and fyled of the service of such Process, to enter an appearance for such Defendant, and thereupon to fyle his declaration, and to proceed thereupon, according to the practice of the said Court of Queen's Bench, in actions notailable.

IV. And whereas doubts have arisen respecting the jurisdiction of the said Courts in actions against Attorneys, and Members of the Legislative Assembly and Legislative Council of the Province; be it therefore