

been or shall be confirmed upon appeal, no Action shall be brought against such Justice who so granted such Warrant for any thing which may have been done under the same by reason of any defect in such Conviction or Order.

for an act done under a Warrant upon it.

5 VI. And be it enacted, That in all cases where by this Act it is enacted that no action shall be brought under particular circumstances, if any such Action shall be brought, it shall be lawful for a Judge of the Court in which the same shall be brought, upon application of the Defendant, and upon an affidavit of facts, to set aside the proceedings in such Action, with or without costs, as to him shall seem meet.

If an Action be brought contrary to this Act, Judge may set aside the proceedings.

VII. And be it enacted, That no Action shall be brought against any Justice of the Peace for any thing done by him in the execution of his Office, unless the same be commenced within Six Calendar Months next after the act complained of shall have been committed.

Limitation of Actions.

VIII. And be it enacted, That no such Action shall be commenced against any such Justice of the Peace until One Calendar Month at least after a Notice in Writing of such intended Action shall have been delivered to him, or left for him at his usual place of abode, by the party intending to commence such Action, or by his Attorney or Agent, in which said notice the cause of Action, and the Court in which the same is intended to be brought, shall be clearly and explicitly stated ; and upon the back thereof shall be endorsed the name and place of abode of the party so intending to sue, and also the name and place of abode or of business of the said Attorney or Agent, if such notice have been served by such Attorney or Agent.

Notice of Action to be given, and how.

IX. And be it enacted, That in every such Action the venue shall be laid in the County where the act complained of was committed, or in Actions in County or Division Courts the Action must be brought in the County or Division within which the act complained of was committed or the Defendant reside ; and the Defendant shall be allowed to plead the General Issue therein, and to give any special matter of defence, excuse or justification in evidence under such plea, at the trial of such Action : Provided always, that no Action shall be brought in any such County or Division Court against a Justice of the Peace for any thing done by him in the execution of his office if such Justice shall object thereto ; and if within Six Days after being served with a notice of any such Action such Justice, or his Attorney or Agent, shall give a written notice to the Plaintiff in such Action that he objects to being sued in such County or Division Court for such cause of Action, no proceedings afterwards shall be had in such County or Division Court in any such Action, but it shall not be necessary to give another notice of Action in order to sue such Justice in any other Court.

Venue how to be laid.

Defendant may plead the General Issue and give the special matter, &c., in evidence.

Proviso. Action not to be brought in County or Division Court if the Justice object.