

And it is hereby declared and enacted by the authority of the same, That the said Courts, and each of the Justices thereof, are and shall be empowered and authorised to permit parties to sue and defend causes *in formâ pauperis*, as hath been heretofore practised, (1) whenever they shall be satisfied by affidavit that such parties, having a good cause of action, or a good defence, are unable to establish the same in the ordinary course of law, for want of the necessary means to defray the fees and charges of the several officers of the said Courts, whose services are required in the conduct of causes before such Courts.

II. And be it declared and enacted, That the said Courts have and shall have full power and authority, either by interlocutory or by final judgment, to dispauper parties to whom the said privilege of suing *in formâ pauperis* shall have been allowed, whenever law and justice shall require them to be so dispaupered.

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(1) Le projet réfère à un usage très incertain et purement local et temporaire, qui ne pourrait guères servir de guide là où on l'avait repoussé. Cependant, l'on prétend que la procédure *in formâ pauperis* n'était pas inconnue dans les autres districts, et qu'on a de temps à autre permis d'y avoir recours.

