

pending or hereafter to be brought in the Courts, wherein the Defendants have or shall suffer Defaults, the said Courts are hereby empowered and required in Lieu of a Writ of Enquiry of Damages, to order a Jury to be sworn, to assess Damages at the Bar, for which the Jury shall be paid such Fees, as heretofore have been usual on Trials of Issues.

And be it further enacted, That all Writs of Summons hereafter to be issued, and all other original Writs, shall be indorsed, either by the Plaintiff or his Attorney, who sues out the same, and the Defendant or Defendants therein Named, shall respectively be served with a true Copy of such Writ.

And be it further Enacted, That when any Person or Persons shall think himself aggrieved by any Judgment or Determination, in any of the said *Inferior Courts of Common Pleas*, wherein the Cause of Action exceeds the Sum of *Five Pounds*, or in any Cause where the Title of Lands may be in Question, he may appeal from such Sentence and Judgment to the Supreme Court held for this Province, for a Rehearing of his said Cause, either in matters of Law or Facts; *Provided*, That such Appellant enters his Appeal before the rising of the said *Inferior Court*, that the adverse Party may have Notice; and likewise enter into a Recognizance with the Appellee in any Sum, not less than *Twenty Pounds*, to prosecute his Appeal with Effect, and files the same with the Clerk of said Court within *Five Days* after the rising of said Court, otherwise Execution shall issue from the said Court according to their Judgment and Determination.

And be it further enacted, That the Form of Writs to be issued by the Justices of the Peace, for the Recovery of small Debts, shall be by Summons only, in the following Form.

County of

To the *Provest-Marshal* or his Deputy, *Greeting*.

I N His Majesty's Name you are hereby commanded to summon, A. B. of _____ *if he may be found*
in your Precinct, to be and appear before
His Majesty's Justices of the Peace for said County, at the Dwelling House of _____ *on* _____ *Day, being the*
Day of _____ *at* _____ *of the Clock in the*
noon, then and there to answer to C. D. of _____ *in a Plea*
To the Damage of the said C. D. as _____ *says the Sum of*
 _____ *which he will then and there make*
appear; and do you make due return of this Summons, with your
Doings thereon to _____ *on or before said Day Witness*
Hand and Seal this _____ *Day of* _____ *in the*
Year of His Majesty's Reign, Annoque Domini 17

A Copy of which shall be left with the Defendant at his last Place of Abode, at least *Seven Days* before the Trial.

And