

consideration advanced.) and being so indebted, he the said C. D. then and there undertook, and faithfully promised the said A. B. to pay him the said sum, when he the said C. D. should be requested, and though since requested, doth now refuse so to do, to the said A. B. his damage of £      who therefore brings his suit.

Statutes of Jeofails:  
Amendments and Amend-  
ments declared to be  
in force in this Pro-  
vince.

XXIV. *And be it further enacted by the authority aforesaid,* That each and every of the statutes of jeofails, and each and every of the statutes of limitations, and each and every of the statutes for the amendment of the Law excepting those of mere local expediency which from time to time have been provided and enacted respecting the Law of England be adopted and declared to be valid and effectual for the same purposes in this Province.

Defendants may pay  
money into Court.

XXV. And in order to discourage vexatious suits and to prevent additional charges upon any Defendant or Defendants who may be willing to pay the sum which he or they shall admit to be justly due, *Be it enacted by the authority aforesaid,* That in all cases, where the sum demanded by any Plaintiff or Plaintiffs is a sum certain or is capable of being ascertained by computation of numbers, it shall and may be lawful for any Defendant or Defendants to move that he or they may be at liberty to pay into Court such sum as he or they shall propose to pay in full discharge of the said demand: whereupon the Court may order a rule to be drawn up to such effect, or in time of vacation such order may be made by a Judge of the Court, and in case the Plaintiff shall be willing to accept, and shall accept the same together with all costs accruing to that time to be taxed by the proper Officer, the same shall be in full satisfaction of such his demand, and all further proceedings in the said action shall cease: and to the end that every Plaintiff or his Attorney may know of such proceeding the Defendant or Defendants shall, and are hereby required to serve a copy of the Rule authorizing such payment to be made, upon the Plaintiff or his Attorney at the time filing his plea of the general issue to such Plaintiff's declaration.

Officer to receive one  
per cent on monies  
paid into Court.

XXVI. *Provided always,* That upon payment of money into Court, it shall and may be lawful for the Officer receiving the same to demand and take a sum not exceeding twenty shillings for every hundred pounds so paid into Court, and at and after the same rate and proportion for every sum of money so paid, and also to demand and take the sum of one shilling for every receipt by him given on account of money so paid in as aforesaid.

Commissions of As-  
size & Nisi Prius to be  
issued yearly & when  
circumstances require  
it twice a year.

XXVII. And for the more convenient administration of Justice throughout the Province, *Be it enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to issue yearly and every year in the vacation between the Michaelmas and Trinity Terms, such Commissions of Assize, and Nisi Prius into the several Districts, as may be necessary for the purpose of trying all issues joined in the said Court, in any suit or action arising in the said Districts respectively; and that when a suitable communication by land shall be opened from the City, Town, or place which shall be the seat of Government into the respective Districts, and the circumstances of the Province may require it, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Pro-