

judgments, the defendants in such suits frequently running away to avoid the consequence thereof;

In certain actions court may award special bail, &c.

SEC. 2. *Be it therefore enacted, by the right honourable, the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That in all actions of trover and conversion, and actions of detinue, to be commenced after the first day of December next, in any of the courts in this province, it shall and may be lawful for the justices of the court in which such action shall be commenced, or such of them as shall be present, upon the affidavit of the plaintiff, or other evidence of his cause of action given to the satisfaction of such court, to award special bail against any defendant or defendants in such action, and for default of such bail to commit such defendant or defendants to the custody of the sheriff, or coroner, as the case may require, until he, she or they, shall put in such bail as is usual in other cases, any law, usage or custom, to the contrary notwithstanding.

CHAPTER 26.

* 1751, ch 14.

A SUPPLEMENTARY and explanatory Act to an act, entitled, * An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, an act to prevent the tumultuous meetings and other irregularities of negroes and other slaves.

Preamble.

WHEREAS by an act of assembly of this province, entitled, an act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, an act to prevent the tumultuous meetings and other irregularities of negroes and other slaves, and directing the manner of trying slaves, made at a session of assembly begun and held at the city of Annapolis on the fifteenth day of May, in the year of our Lord one thousand seven hundred and fifty-one, amongst other things it was enacted, 'that if any slave shall happen to be slain for refusing to surrender him or herself, contrary to law, or in unlawful resisting any officer, or other person, who shall apprehend, or endeavour to apprehend, such slave or slaves, and such officer or other person so killing such slave as aforesaid making resistance, shall be and he is by this act indemnified from any prosecution for such killing aforesaid:' And whereas some doubts may possibly arise about the construction of the said recited clause, and whether the person so killing such slave as aforesaid making resistance shall undergo any prosecution for the same; for the explanation whereof, and to pre-