

and if after this the Sheriff detain the Prisoner any longer in Prison, such Detaining shall be adjudged False Imprisonment. C H A P. III.

Examined and Compared with the Original Act, REVERDY GHISELIN, THOMAS BACON.

C H A P. IV.

An ACT for regulating Writs of Error, and granting Appeals from and to the Courts of Common Law within this Province. Passed 14th Nov. 1713.

Lib. LL. N^o 4. fol. 77.

A Supplementary Act, 1729, ch. 3.

FORASMUCH as the Liberty of Appeals, and Writs of Error, from the Judgment of the Provincial and County Courts of this Province, is found to be of great Use and Benefit to the Good of the People thereof :

II. Be it therefore Enacted, by the Queen's most excellent Majesty, by and with the Advice and Consent of her Majesty's President, Council, and Assembly of this Province, and the Authority of the same, That no Execution upon any Judgment obtained either in the Provincial or County Courts, or other inferior Courts of Record within this Province, shall be stayed or delayed, or any *Superfedeas* upon such Judgment granted, or issued forth, upon any Appeal or Writ of Error, from any such Court or Courts of Record as aforesaid, to the Court before whom such Appeal ought to be brought, or before whom such Writ of Error ought to be heard and determined, unless such Person or Persons in whose Name such Appeal or Writ of Error shall be made or brought as aforesaid, or some other in his, her, or their Behalf, shall immediately upon making such Appeal, or suing out such Writ of Error as aforesaid, enter into Bond, with sufficient Sureties, (such as the Justices of the Court by whom Judgment shall be given as aforesaid, or the Keeper of the Seal for the Time being, to whom Application shall be made for such Writ of Error as aforesaid, shall approve of) in double the Sum recovered by such Judgment obtained as aforesaid, with Condition, " That if the Party Appellant, or Party suing out such Writ of Error as aforesaid, shall not pursue the Directions of this Act hereafter mentioned, at the next Court ensuing, before whom such Appeal or Writ of Error ought to be tried as aforesaid, and prosecute the same Writ with Effect; and also satisfy and pay to the said Party, his Executors, Administrators, or Assigns, in case the said Judgment shall be affirmed, as well all and singular the Debts, Damages and Costs adjudged by the Court before whom such Action was first brought, and from whose Judgment such Appeal shall be made, or thereon a Writ of Error brought as aforesaid, as also all Costs and Damages that shall be awarded by the Court before whom such Appeal or Writ of Error shall be heard, tried, and determined as aforesaid; then the said Bond to be and remain in full Force and Virtue; otherwise of no Effect."

No Execution to be stayed on Appeal or Writ of Error, before Security be given by the Appellant.

Form of the Condition.

III. And be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That no Person or Persons whatsoever, against whom any Judgment shall be given in any County Court of this Province, wherein the Debt or Damages for which such Judgment shall be given, shall have any Appeal or Writ of Error from the said County Courts, or other inferior Courts of Record, to the Provincial Court, wherein the Debt or Damages recovered do not amount to the Sum of Six Pounds Sterling, or Twelve Hundred Pounds of Tobacco. And that no Person or Persons whatsoever, against whom any Judgment shall be given in the Provincial Court of this Province, wherein the Debt or Damages recovered do not exceed the Sum of Fifty Pounds Sterling, or Ten Thousand Pounds of Tobacco, shall be allowed any Appeal, or Writ of Error, to the Governor and Council of this Province; but the Judgment of the Justices of the same Courts by whom such Judgment

No Appeal to the Provincial Court for less than 6 l. Sterling, or 1200 lb Tobacco. Nor from the Provincial Court for less than 50 l. Sterling, or 10000 lb Tobacco.