

of Speciall Bayle in all Actions and Suites Depending or to be depending in his Ma^{ty}s Provinciall Court of this Province Be it Enacted by the Kings most Excellent Maty by and with the Advice and Consent of this Present Generall Assembly and the Authority of the Same That when Speciall Bayle is required by the Provinciall Court by the Plaintiffs Attorney att the Calling over of the Appearance Docquett and that the Court dos rule that Speciall Bayle shall be given and the partys against whom the Rule is that he shall give Speciall Bayle be present the Party Defendant shall then and there give Speciall Bayle in open Court and Shall be Deemed to be in the Custody of the Sherriffe that arrested him in that Action till he give Speciall Bayle as afores^d is required but if the said Party Defendant be not able att the said Provinciall Court then and there to procure Speciall Bayle Yet the Said Party shall remaine and be in the Custody of the Same Sherriffe that arrested him and by him in Safe Custody kept and guarded and Carried back into the County where the def^t was Arrested and there in Safe Custody kept till he Can Procure Such Speciall Bayle But if the said Party ag^t whom such rule is that Speciall Bayle shall be given be not present att the said Provinciall Court then the Sherriffe of that County where the said Party Defend^t was arrested may and shall by Virtue of Such Rule aforesaid for Speciall Bayle to be given take the said Party into his Custody againe there keep till he can procure Speciall Bayle according to the rule of Court and for the greater Ease of Makeing and takeing Recognizances of Such Speciall Bayle it shall and may be Lawfull for any person that shall be by his Ma^{ty}s Comission appointed one of the Justices of the Provinciall Court of this Province within Such County where Such Justice of the said Provinciall Court shall inhabit and in Case of Death or Absence of Such Justice of the Provinciall Court then it shall be Lawfull for the President of the County Court to take and receive all & Every such recognizance or recognizances of Bayle or Bayles as any person or persons shall be willing or desireous to Acknowledge or make before him in his County in any Action or Suite depending or hereafter to be Depending in the Said Provinciall Court which recognizance shall be Taken in Such Ma^{ner} and form as followeth

Viz^t John Doe plt } You A: B: and C: D: and either of you
 ag^t } do undertake for the s^d Richard Roe
 Rich^d Roe Def^t } defend^t in — pounds of Tobbacco to be
 leavied on your and either of Your Lands and Tenements
 Goods and Chattells to the use of the said John Doe the Plt
 upon Condition that if the s^d John Doe do obtaine Judgment