

cretion shall think fit give and Allow to such Defendant a future Certain day not exceeding ten days to Appear before such Justice or any other Justice of the same County at a Certain place to be Appointed to Answer unto such Warrants such Defendant giving Good and Sufficient Security if such Justice shall Award it Necessary by way of Recognizance in the Nature of Bail for the Defendants Appearance at the time and Place Appointed and Paying what he shall be Condemned in on the said Warrant or Surrendering his Person to Prison in Satisfaction thereof or in Default of the Defendants giving such Security to commit such Defendant to the Sheriffs Custody till he give such Bail &c if the Defendant shall not Appear at the Time and Place Appointed Judgment may be rendered against him on such Default or on an ex parte Hearing if the Justice does not see cause to the Contrary and if Judgment shall be in any Manner rendered against the Principal Debtor and he does not pay such Condemnation or render himself on Execution to be issued returnable at the end of thirty days from the Issuing thereof a Warrant shall and may be issued and Recovery and Execution had against such Bail in the same Manner as against Principal Debtors saying to such Bail all manner of Defence that Special Bail in Courts of Law are intituled to on the return of the first or second Scire facias and the Liberty of Delivering up the Principal Debtor on the return of such Warrant on Payment of Costs on the same Warrant

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Provided always and it is hereby enacted That the Constable shall give notice to the Plaintiff or his Agent where either of them lives in the same Hundred of the Time and Place he intends to carry the Defendant before a Justice and in Case neither the Plaintiff having notice as aforesaid nor any Person for him nor the Plaintiff nor any Person for him when such Plaintiff lives out of the same Hundred and hath not Appointed any Agent in that Business with or without notice shall Appear on the return of the Warrant or shall make default in not Appearing at the Time and Place Appointed when there shall be an Appointment by the Justice of a Future day for an hearing the Justices before whom any Defendant shall be brought on a Warrant as aforesaid or before whom he shall Appear on an Appointment as aforesaid shall and may Hear and Determine the matter of Controversy Ex parte

[Constable
to give notice
to the
Plaintiff]

And be it further enacted That from and after the end of this Present Session of Assembly it shall and may be lawfull for the Justices before whom any such Judgment is had or any other Justice of the Peace of that County to take a Supersedeas of such Judgment in the same manner and for the same time as is by law directed for any two Justices to take of any Judgments or Executions on Judgments rendered in the Several County Courts of law of this Province

[Supersedeas
may be
taken]